TRAVANCORE

LEGISLATIVE COUNCIL

PROCEEDINGS

VOL. XX

TRIVANDRUM:
PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS,
1933.

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

VOL. XX—No. 1.

Wednesday, the 16th December, 1931/1st Dhanu 1107.

CONTENTS.

			Pages.
1.	Swearing in of new members	...	1
2.	President's address to members	...	1
3.	Questions and answers	...	1-13
4.	Adjournment motion—Sale of lands for arrears of land revenue - leave to make	...	13
5.	Statement laid on the Table	...	13-14
6.	Legislative business :—		
	(i) The Travancore Criminal Law Amendment Bill second reading of	...	15-20
	(ii) The Travancore Town Planning Bill—introduction of	...	20-58
	(iii) The Police Regulation Amendment Bill—introduction of	...	58-59
	(iv) The Jenmi—Kudiyan Regulation Amendment Bill—second reading of	...	59-81

No. 2.

Thursday, the 17th December, 1931/2nd Dhanu, 1107.

CONTENTS.

1.	Questions and answers	...	83-99
2.	Motion for adjournment—Monopoly for Kaolin—notice of—	...	-100
3.	The Jenmi-Kudiyan Regulation Amendment Bill—second reading of—	...	100-130
4.	Motion for adjournment *re* Kaolin—notice of—President's remarks on—	...	130-131
5.	Adjournment motion—Sale of lands for arrears of land revenue—	...	131-162

G. P. T. 1340, 300 25-4-1933.

PAGES.

No. 3.

Friday the 18th December, 1931/3rd Dhanu, 1107.

CONTENTS.

1. Questions and answers ... 163-183
2. The Travancore Partition Bill ... 184-186

Resolutions:—

(i) Revision of pay and grades of officers ... 186-196

(ii) Vernacular Text Book Committee—representation of Tamil in the ... 196-205

No. 4.

Saturday the 19th December, 1931/4th Dhanu, 1107.

CONTENTS.

Questions and answers ... 207-241

Resolutions:—

(i) Supply of drinking water ... 241-281

(ii) Abolition of the Neduvangad Toll-gate ... 281-293

(iii) Remission of land tax ... 293-307

No. 5.

Thursday the 21st April, 1932/9th Medom, 1107.

CONTENTS.

1. Swearing in of new members ... 309
2. Point of order *re* constitution of the Council ... 309-310
3. Questions and answers ... 310-342
4. New President's welcome address to the House ... 343
5. Reference to the late Rao Bahadur K. A. Krishna Aiyangar ... 344-345
6. Adjournment motion *re* conduct of the Police at Alleppey—notice of— ... 346
7. Legislative business.—

(*a*) The Police Regulation Amendment Bill ... 346

(*b*) The Town Planning Bill ... 346-351

(*c*) The Jenmi and Kudiyan Regulation Amendment Bill ... 351-395

SUPPLEMENTS.

A. The Travancore Police Regulation Amendment Bill.

B. The Travancore Town Planning Bill.

C. Report of the Select Committee on the Town Planning Bill.

D. Report, after recommittal, of the Select Committee on the Jenmi and Kudiyan Regulation Amendment Bill.

E. The Jenmi and Kudiyan Regulation Amendment Bill as revised by the Select Committee, after recommittal.
F. Minutes of the meeting of the Standing Finance Committee held on the 15th April 1932.

PAGES.

No. 6.

Friday the 22nd April, 1932/10th Medom, 1107.

CONTENTS.

1. Questions and answers ... 397-440
2. Legislative business :—
   (i) The Travancore Width of Tyres Bill ... 441-468
   (ii) The Travancore Town Planning Bill ... 468-489

SUPPLEMENT.

The Width of Tyres Bill.

No. 7.

Saturday the 23rd April, 1932/11th Medom, 1107.

CONTENTS.

1. Questions and answers ... 491-533
2. Motion for adjournment—notice of— ... 534
3. Legislative business :—
   (i) Second reading of the Travancore Town Planning Bill ... 534-583
   (ii) Introduction of the Travancore Provident Insurance Societies Bill ... 583-595
   (iii) The Travancore Life Assurance Companies Bill ... 595-600

SUPPLEMENTS.

A. The Travancore Provident Insurance Societies Bill.
B. The Travancore Life Assurance Companies Bill.

No. 8.

Monday the 25th April, 1932/13th Medom, 1107.

CONTENTS.

1. Questions and answers ... 600-623
2. Adjournment motion - leave to make ... 624
3. Legislative business :—
   The Travancore Muslim Succession Bill—consideration of the report of the Select Committee on the— ... 624-625

PAGES.

4. Resolutions :—
   (i) Remission of land tax ... 625-655
   (ii) Provision of elevated grounds in Kuttanad ... 655-671
   (iii) Prohibition of the killing of cows ... 671-693
   (iv) Restriction against child marriage ... 693-699

No. 9.

Tuesday, the 26th April, 1932/14th Medom, 1107.

CONTENTS.

1. Questions and answers ... 701-760
2. Adjournment motion—leave to make ... 761
3. Resolution :—
   Restriction against child marriage ... 761-816

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

Wednesday, the 16th December 1931/1st Dhanu 1107.

The Council assembled at the Victoria Jubilee Town Hall at eleven-thirty of the clock, the President presiding.

All except the following members were present:—

1. Mr. K. Narayanaperumal Nadar.
2. ,, K. Padmanabha Panicker.
3. Mrs. Anna Chandi.

SWEARING OF NEW MEMBERS.

The following new members were then sworn in —

1. Mr. T. K. Madhavan Nayar.
2. ,, S. C. H. Robinson.
3. ,, T. V. Ramakrishna Aiyar.
4. ,, N. Raman Namputiripad.
5. ,, V. N. Jatavedan Namputiripad.

PRESIDENT: Members of the Council, this is our first meeting after the assumption, by His Highness the Maha Raja, of ruling powers, an event which was hailed with universal rejoicing. It is thus our duty and our proud privilege today to tender our respectful tribute of loyalty and homage to His Highness' throne and person. His Highness has graciously declared in no uncertain terms that his one aim will be to promote the peace, contentment and prosperity of his people. Inspired by that ringing pledge, let us all work with united will to contribute all we can towards the realisation of His Highness' lofty ideal.

QUESTIONS AND ANSWERS.

Purchase of leather for the use of the Stationery Department for 1105.

1. **MR. RAMA VARMA RAJA** (*Edavagai*): With reference to an additional grant of Rs. 5,000 made for the purchase of materials for supplying 2,000 lbs. of sheepskin for the Stationery Department, (page 2 of the Appropriation Report for 1105), will the Government be pleased to state:

(*a*) the price per pound of sheepskin (tanned) as supplied by the Department of Industries;

(*b*) the market price per pound of sheepskin of the same quality; and

(*c*) the total quantity required for book-binding and other purposes by the Stationery Department?

G. P. T. 1756—306. 27-8-07.

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The price of sheepskin (tanned) as supplied by the Department of Industries was B. Rs. 3 (three) per lb.

(*b*) No information is available about the market price at the time. The quotations by the other tenderers for the same quality of sheepskin ranged from Rs. 3-As. 3 to Rs. 3-As. 6 per lb.

(*c*) The average quantity of leather required for the Stationery Department per annum is about 3,500 lbs.

MR. RAMA VARMA RAJA (*Edavagai*): പാർട്ട സി യിൽ "The average quantity of leather required for the Stationery Department per annum is about 3,500 lbs." എന്നുപറഞ്ഞുകാണുന്നു. ഈ ൩,൫൦൦ പൌണ്ടിൽ ഏതെങ്കിലും ഒരംശം ടാനിങ്ങ് ഡിപ്പാർട്ടുമെൻറു സപ്ളൈ ചെയ്തിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): ൨,൦൦൦ പൌണ്ട് തോൽ സപ്ളൈ ചെയ്തിട്ടുണ്ട്.

MR. RAMA VARMA RAJA (*Edavagai*): ശേഷമുള്ള ൧,൫൦൦ പൌണ്ട് മററുകച്ചവടക്കാരിൽനിന്നും വാങ്ങിച്ചിട്ടുള്ളതും ടാനിങ്ങ് ഡിപ്പാർട്ടുമെൻറിലെ വിലയെക്കാൾ കൂടുതൽ വിലകൊടുത്താണു് എന്നു മറുപടിയിൽ കാണുന്നുണ്ട്.

MR. K. GEORGE (*Chief Secretary to Government*): രണ്ടോ മൂന്നോ അണയുടെ വ്യത്യാസമുണ്ട്. എന്നാൽ ഇതാദ്യമായതുകൊണ്ട് ഇൻഡസ്ട്രിയൽ ഡിപ്പാർട്ടുമെൻറിന് ഒരു ട്രയൽ ഓർഡർ കൊടുക്കയാണ് ചെയ്തതു.

Allowances paid to officers in 1104, 1105 and 1106.

2. **MR. RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state:

(*a*) the average, in lakhs of rupees, of acting allowances paid throughout the whole State during 1104, 1105 and 1106;

(*b*) the amount of local and special allowances paid during the above-said three years for the whole State; and

(*c*) the amount of travelling allowance paid during the above-said three years for the whole of Travancore excluding travelling allowance to members of the Sri Mulam Popular Assembly and the Legislative Council?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*):

(*a*) The information is not available since acting allowances are not separately classified and booked.

(*b*) Local allowances.—

		Rs.
1104	...	1·62 lakhs
1105	...	1·59 „
1106	...	1·63 „

Special allowances such as personal allowance are ordinarily booked along with salaries and separate figures therefor are not available.

(c) Travelling allowances

		Rs.
1104	...	4·29 lakhs
1105	...	4·73 ,,
1106	...	4·24 ,,

Action on the Report of the Banking Enquiry Committee.

3. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state the action taken by them on the recommendations of the Banking Enquiry Committee?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The report is under the consideration of the Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know the date on which the report of the Banking Enquiry Committee was submitted to Government?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I do not exactly remember the date.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikaplli*): But have the Government come to any conclusion with regard to any of the recommendations of the committee?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes. One of the important recommendations of the committee is about the starting of a Land Mortgage Bank in regard to which Government have already taken action.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know when we can expect that to be brought into effect?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The G. O. on the subject will appear in the next issue of the Government Gazette.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Have the Government considered any of the other recommendations?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): More than a hundred recommendations have been made by the committee and these recommendations have been classified into two main groups—one group for consideration and disposal in the Financial Secretariat and the other in the Administrative Secretariat. Each one of these two branches of the Secretariat is taking action on the subjects allotted to it. Such of the subjects as require reference to the Heads of Departments are being so referred, and the questions will be finally considered and decided by Government on receipt of replies to the references.

Metalling the Kayankulam-Kartikapalli road.

4. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(a) whether they have received a memorial from the inhabitants of Kartikapalli, dated the 11th Karkatakam 1106, stating the urgency of metalling the Kayankulam-Kartikapalli road; and

[Mr A. S. Damodaran Asan.]

(*b*) whether any estimate for the above-said road has been prepared, and, if so, the amount of estimated expenditure?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : (*a*) Yes.

(*b*) No estimate has been prepared for the above said road.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know whether the Chief Engineer has been asked to prepare an estimate for the above road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Only for a portion of the above road.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know the date on which he was asked to prepare an estimate for that portion?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : The file is not here and I do not exactly remember the date.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know the particular portion of the road for which the Chief Engineer has been asked to prepare an estimate?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : From Kayankulam to Keerikad, and thence to the backwater.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Has the estimate been prepared and submitted to Government?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : A rough estimate has been prepared and submitted to Government, and Government have sanctioned the metalling of a portion of this road.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Does the portion from Keerikad to the backwater form part of the road from Kayankulam to Kartikapalli?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) It may not. But it was found that this road was necessary in the interests of the public; and moreover it is only an extension of the Kayankulam-Keerikad road.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) ; What is the rough estimated amount of this extension?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Five thousand rupees.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is it for the whole road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : No; for the road from Kayankulam to Keerikad and thence to the backwater.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikaplli*) : May I know whether this road was not included in the Budgets for 1105 and 1106?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : An amount of Rs. 30,000 was provided for this road in the Budget for 1106,

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): When the rough estimate was prepared, it was only Rs. 5,000. May I know how that jumped up to Rs. 30,000 when the detailed estimate was prepared?

Mr. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Rs. 5,000 is the rough estimated amount and Rs. 30,000 is the detailed estimated amount.

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is there any particular reason for this wide discrepancy between the rough and detailed estimates?

Mr. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I claim notice.

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Has an estimate been prepared with regard to the section from Kayankulam to Keerikad alone?

Mr. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know the amount of the estimate?

Mr. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Fifteen thousand rupees.

Improvements to the irrigation canals in Tonnallur pakuthi.

5. **Mr. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state whether they have received a memorial dated the 30th Mithunam 1106 from the inhabitants of the Tonnallur pakuthi, Mavelikara taluk, for improving the irrigation canals lying in Cheruvalakkara *vayal*, and, if so, the steps taken on the same?

Mr. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes. This was forwarded to the Chief Engineer for disposal and he is investigating it.

Irrigation facilities in Cheruvalakkara Vayal.

6. **Mr. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*) Will the Government be pleased to state:

(*a*) whether they have received a memorial from the owners of Cheruvalakkara *vayal* in the Tonnallur pakuthi, Mavelikara taluk, for the improvement of irrigation facilities in that *vayal*; and

(*b*) if the answer to part (*a*) is in the affirmative, the action taken on the same?

Mr. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) and (*b*) The member is referred to the answer to his interpellation No. 5 [27].

Grant-in-aid to Ayurveda Physician, Mr. C. N. Raman Pillai.

7. **Mr. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state whether they have received a memorial from the people of Nuranad and Venmani, dated the 14th

[Mr. A. S. Damodaran Asan.]

Karkatakam 1106, praying that Mr. C. N. Raman Pillai, an Ayurveda physician, may be given recognition and grant-in-aid, and, if so, the steps taken on the same?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Yes; orders have been issued granting State recognition to the *vaidyan*. The question of giving the *vaidyan* a grant-in-aid will be considered along with that of other recognised *vaidyans* when vacancies occur in the sanctioned number of grant-in-aid *vaidyans* or new *vaidyasalas* are opened.

Compounding of tolls on cycles at the Nangiarkulangara toll-gate.

8. **MR. A. S. DAMODARAN ASAN** (*Mavelikara cum Kartikapalli*): Will the Government be pleased to state whether the Chief Engineer has received a petition from certain persons residing in the neighbourhood of Nangiarkulangara toll-gate praying that the tolls on their cycles may be compounded?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know what action has been taken by the Chief Engineer on that memorial?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No action has been taken. The petition was received very late in that year.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know whether the Chief Engineer intends to take any action on that petition when the question of the auction of tolls comes up next year?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The Chief Engineer has reported that he would consider it when it comes up for consideration next year.

Tamil Pandit in the Women's College.

9. **MR. R. S. SUBRAHMANYA PILLAI** (*Kalkulam cum Vilavankod*): Will the Government be pleased to state:

(*a*) the scale of pay sanctioned for the Tamil Pandit's post in H. H. the Maha Raja's College for Women;

(*b*) the pay of the present (29-3-1107) Tamil Pandit in the above-said college;

(*c*) whether there is any proposal of the Government to raise the pay of the Tamil Pandit in the above-said college alone;

(*d*) whether qualified Tamil Pandits are available for service on the pay sanctioned for that post;

(*e*) if the answer to part (*c*) is in the affirmative, whether it is the intention of the Government to raise the pay of all the Pandits in all the three colleges of the State; and

(*f*) if the answer to part (*d*) is in the affirmative, whether they will appoint a duly qualified Tamil Pandit in the Women's College on the maximum of the scale of pay sanctioned for the post?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) Rs. 50-5-70-10-120.

(*b*) Rs. 105 in the scale of Rs. 75-10-125-10-175.

(*c*) No.

(*d*) No.

(*e*) and (*f*) In view of the answers to parts (*c*) and (*d*) above, these questions do not arise.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*) : വിമൻസ്കാളേജിലെ തമിഴ്പണ്ഡിററിന്റെ ശമ്പളത്തോതു് ൫൦ രൂപാ മുതൽ ൧൨൦ രൂപാവരെ ആയിരിക്കെ ൧൦൫ രൂപാവരെ സ്കെയിലുള്ള ഒരു പണ്ഡിററിനെ നിയമിക്കാനുള്ള കാരണമെന്താണു്?

MR. K. GEORGE (*Chief Secretary to Government*): ഇതിനു നിശ്ചയിച്ചിട്ടുള്ള ശമ്പളത്തിനു വരത്തക്കവണ്ണമുള്ള ക്വാളിഫിക്കേഷനോടുകൂടിയ ആളുകളില്ലായിരുന്നു.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): അങ്ങനെ ക്വാളിഫിക്കേഷനുള്ളവർ വരികയാണെങ്കിൽ ഈ മിനിമം ശമ്പളത്തിനു നിയമിക്കാൻ തയ്യാറുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*) : ഇപ്പോഴത്തെ ആളിനെ തല്ക്കാലത്തേയ്ക്കു മാത്രമേ നിയമിച്ചിട്ടുള്ളു. തക്കതായ ക്വാളിഫിക്കേഷനുള്ള ഒരു സ്ത്രീ അപേക്ഷിക്കയാണെങ്കിൽ അതിനെപ്പററി ആലോചിക്കുന്നതാണു്.

MR. R. S. SUBRAHMANYA PILLAI *Kalkulam* cum *Vilavankod*): ഇപ്രകാരം ൧൦൫ രൂപാ ശമ്പളത്തിൽ ഒരാളിനെ നിയമിക്കാൻ കൌൺസിലിന്റെ അനുവാദം ലഭിച്ചിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*) : അതിലേക്കു കൌൺസിലിന്റെ അനുവാദം ആവശ്യമില്ല.

Expenditure for flood relief measures in the Kottayam Division in 1106.

10. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*) : Will the Government be pleased to state :

(*a*) the amount spent by them in the Kottayam Division for relief measures in connection with the floods of 1106 ;

(*b*) the amount paid on account of travelling allowances to officers in the Kottayam Division for the above purpose ; and

(*c*) the name of the officer who received the largest amount of travelling allowance on that account

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : (*a*) A sum of Rs. 2,406-16chs. has been spent up to the end of Tulam 1107 for relief measures in connection with the floods of 1106 in the Kottayam Division.

[MR. R. Nilakanta Pillai].

(*b*) The information is not available as the travelling allowance paid to officers for their journeys in connection with flood relief measures is not separately classified.

(*c*) This does not arise, in view of the answer to part (*b*) above.

Circular regarding filling of vacancies in the several offices.

11. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) whether they have issued instructions to the various Departments not to fill up vacancies until otherwise ordered; and

(*b*) whether they are satisfied that the Heads of Departments adhere to such instructions, if any?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): (*a*) A circular has been issued to all Heads of Departments and offices to the effect that all permanent vacancies should be left open pending final orders of the Government on the question of reduction of establishment charges.

(*b*) A circular has been issued by the Audit Department to all Heads of Departments and Offices to the effect that all drawing and countersigning officers of the establishment pay bills presented for encashment should furnish the following certificate in all monthly pay bills:—

"Certified that no person whose pay is claimed in this bill has been confirmed since the date of the Government circular No. Fl. 1444, dated the 3rd September 1931."

Interpellations received and answered during the Budget Session of the Council, 1106.

12. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) the number of interpellations put up by members of the Council before the last (1106) Budget session; and

(*b*) the number answered?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) 239 questions were given notice of by the members, of which 225 were admitted.

(*b*) Answers to 132 questions were furnished to the Council.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*); May I know why the remaining questions are left unanswered?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): It is because information for answering those questions could not be obtained from the various departments in time.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*); So, are the officers not in default in not supplying information to the Government for answering the interpellations in time?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): It cannot be said that the officers are at fault. I consider it to be unjustifiable to

say so, because the officers require some time to get the information required from the subordinate officers. It may therefore be due not to any fault of theirs that they were not able to supply the information in time.

MR. E. V. KRISHNA PILLAI (*Kottarakkara cum Kunnattur*): Is the member answering my question on the strength of the explanation, if any, obtained from those officers who did not supply the information in time?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): So far as this question is concerned, my reply is based on the records available in the office and not on explanations obtained from officers, as no explanation was called for in respect of any particular delay. Orders are issued to all Heads of Departments to supply the information, necessary for answering interpellations in the Council, promptly. When any delay is noticed, reminders are sent to them and that process is carried on till the information required is obtained.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know why no action has been taken against those officers who did not supply the Government with information in regard to these interpellations even after this repeated process of sending reminders or requisitions?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): It was not considered that the officers were at fault.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know what is the reason which made Government to conclude that the officers were not at fault?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Government always find that the officers are prompt in supplying information. But it sometimes happens that the information supplied is insufficient and a reference is made back for additional information. It is that that often delays the answering of interpellations; and therefore it cannot be attributed to the default of officers.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): So, is it the general policy of Government to conclude that the officers would have supplied the information promptly, if possible, and to satisfy themselves with the consolation that they were not at fault?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Certainly not. When the Government find that a certain officer is at fault, they take action at once, call for his explanation and pass appropriate orders.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Then, may I know why no such action was taken in this respect?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): In this case Government did not think that any officer was at fault.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): What is the reason that induced Government to conclude like that?

I want to know the grounds on which Government arrived at this conclusion?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I submit, Sir, that question has already been answered. If I am to answer this question again, it would only be a repetition of what I have already said.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Sir, I have a doubt to be cleared. Unlike in the case of other official matters, Government were induced to conclude that the officers who did not supply the information required in time were not at fault. Sir, I wish to know the ground, the particular ground, for the Government to conclude like that?

PRESIDENT: I believe the answers given by the official member would indicate sufficiently well that, having regard to the nature of the question and having regard to the correspondence that passed between the Head of the Department and the Government, there was no such delay as to induce Government to take any action. Government therefore thought that no action need be taken in the matter, and did not therefore call for any explanation.

Accommodation in the Ophthalmic Hospital.

13. **MR. A. S. DAMODARAN ASAN** (*Mavelikara cum Kartikapalli*): Will the Government be pleased to state:

(*a*) the largest number of in-patients that had to be accommodated at one time in the Ophthalmic Hospital;

(*b*) the number of beds that are available in the Ophthalmic Hospital for the accommodation of in-patients; and

(*c*) whether any difficulty is experienced in providing accommodation for the in-patients that resort to the institution?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) 69.

(*b*) 51.

(*c*) Yes; and steps are being taken with a view to provide additional accommodation.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): With regard to part (*b*) of the answer, may I know how many in-patients could be accommodated in the permanent building of the Ophthalmic Hospital?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Of course, the answer given is in regard to the accommodation available in the permanent building.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Am I to understand that the member is not aware of some temporary sheds being put up for accommodating the in-patients?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): If there be any temporary sheds, I do not find them from the records available, before me.

Appointments made in the Police Department during 1105 and 1106.

14. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of appointments made during 1105 and 1106 in the Police Department and the number of Muslims who got such appointments?

MR. K. GEORGE (*Chief Secretary to Government*):

	1105.	1106.
Inspectors of Police ...	3	Nil.
Number of Muslims who got such appointments ...	1	Nil.
Clerks ...	17	8
Number of Muslims who got such appointments	2	Nil
Shorthand Reporters (Tamil and Malayalam) Temporary in the C. I. D. ...	2	Nil.
Number of Muslims who got such appointments ...	Nil.	Nil.
Constables ...	121	191
Number of Muslims who got such appointments ...	5	26

Appointments made in the Central Jail during 1105 and 1106.

15. **MR. P. S. MAHOMED** (*Nominated*) Will the Government be pleased to state the number of appointments made during 1105 and 1106 in the Central Jail and the number of Muslims who got such appointments?

MR. K. GEORGE (*Chief Secretary to Government*): Seven appointments of Warders only were made in the Central Prison during 1105. No Muslim was appointed during that year.

During 1106, six appointments of Warders alone were made, of whom one was a Muslim.

Transfer of the Traffic Inspector of Police, Kottayam.

16. **MR. O. M. THOMAS** (*Kottayam*): Will the Government be pleased to State:

(*a*) the number of years the present (11-4-1107) Traffic Inspector has been at Kottayam in any capacity;

(*b*) the number of transfers that the other Police Officers of Kottayam had during the period;

(*c*) the transfers, if any, of the other Traffic Inspectors; and

(*d*) whether his superior officers at Kottayam had recommended his transfer?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 3 years and 6 months.

(*b*)

District Superintendent of Police	...	3
Assistant Superintendent of Police	...	1
Inspectors	...	3
Prosecuting Inspector	...	1

(*c*) Mr. Herman Lopez alone was transferred from Quilon to Trivandrum in 1106, when an additional Inspector was sanctioned for Traffic Control in the Trivandrum District.

(*d*) No.

MR. O. M. THOMAS (*Kottayam*): With regard to part (*b*), does the answer hold good in respect of the interval between 11-4-1107 and today?

MR. K. GEORGE (*Chief Secretary to Government*): This answer was furnished by the Commissioner of Police on the 5th December 1931. It must hold good, I suppose.

Opening of a dispensary at Karimannur.

17. **MR. K. P. ABRAHAM** (*Muvattupuzha cum Todupuzha*): Will the Government be pleased to state:

(*a*) whether they are aware of the necessity of having a dispensary at Karimannur, Todupuzha taluk;

(*b*) whether any action was taken by them to establish a dispensary at Karimannur; and

(*c*) if so, in what year?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) The Administrative Board, Medical Services, recommended the opening of a bi-weekly dispensary at the place to be conducted by the staff of the District Dispensary, Todupuzha. But owing to financial reasons, the Government were unable to make any provision in the Budget for 1107 for opening new dispensaries and this proposal has been ordered to lie over.

(*c*) In view of the answer to (*b*), this does not arise.

Loss incurred by people engaged in motor service.

18. **MR. P. S. MAHOMED** (*Nominated*): Are the Government aware that the people engaged in motor service are incurring heavy loss?

MR. K. GEORGE (*Chief Secretary to Government*): The Government have no specific information about the losses incurred by people engaged in conducting motor services.

Muslims employed in the Sanitary Department.

19. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of Muslim Vaccinators employed in the Sanitary Department ten years back and the number of Vaccinators entertained in the Department at present (12-4-1107); and

(*b*) the number of clerks and peons in the Sanitary Department and the number of Muslims among them?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*):

(*a*) 3 Muslim Vaccinators, ten years back.
3 Muslim Vaccinators at present.

(*b*) Total number of clerks in the Department—22.
Muslims—nil.
Total number of peons in the Department—31.
Muslim—1.

Building constructed for the use of the Girls' School at Adur.

20. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) whether a building intended for a girls' school has been constructed at Adur;

(*b*) whether that building has been put to the intended use;

(*c*) whether it is a fact that the Government propose to sell the building to any agency; and

(*d*) if so, the name of such agency and also the reason why it is so proposed?

MR. K. GEORGE (*Chief Secreatry to Government*): (*a*) Yes.

(*b*) No.

(*c*) No.

(*d*) In view of the answer to part (*c*) above, this question does not arise.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know why the building is kept vacant so far?

MR. K. GEORGE (*Chief Secretary to Government*): Because it was found that the school could not be started in 1106.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): When do the Government intend starting a school?

MR. K. GEORGE (*Chief Secretary to Government*): The present idea is to start a school from Edavom 1107, if funds permit.

ADJOURNMENT MOTION.

Mr. N. K. Krishna Pillai handed over to the President notice of a motion for the adjournment of the House.

PRESIDENT: Mr. Krishna Pillai has just handed to me a notice of a motion for an adjournment of the business of the House for discussing a matter of urgent public importance, *viz.*, the immediate necessity for issuing orders prohibiting the sale of land for realisation of arrears of land revenue during the current year, and with some reasons for his view.

The motion is admissible, and unless there is any objection from any member, I propose to allow it to be discussed. As there is no objection this motion will be discussed tomorrow at 3·30 P. M.

STATEMENT LAID ON THE TABLE.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*):

Sir,

Under Rule 52 of the Legislative Council Rules, I beg to lay on the table the following statement of expenditure authorised by the

[Mr. R. Nilakanta Pillai.]

Government under Section 16 (9) of the Legislative Council Regulation II of 1097

Demand No.		Amount Rs.	Particulars.
IX.	Administration of Justice.	2,000	For expenditure on account of Batta to prisoners in 1106.
XV.	Medical and Sanitary-Medical Department including grants to Allopathic Medical Institutions and scholarships for the study of European Medicine.	14,000	For expenditure on account of the purchase of European medicines and surgical instruments in 1106.
XX.	Scientific and Miscellaneous Departments—other than the Cooperative Department and Census.	460	For expenditure on account of Revenue, Account Test and other Examinations in 1106.
	Do. Do. Do.	80	For remuneration to Examiners of Forest and Excise Test Examinations in 1106.
XII.	Administration of Justice.	9,347-24-5	For payment in 1107 of additional compensation for the land acquired for extending the premises of the Stationary Magistrate's Court, Kayamcolam.
	Do. Do. Do	730-0-0	For printing and colouring eight maps to be appended to the Report on the Law's Delays in 1107.

THE TRAVANCORE CRIMINAL LAW AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to present the report of the Select Committee on the Travancore Criminal Law Amendment Bill, and beg to move that the Bill as reported be taken up for consideration.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

Clauses I and II.

PRESIDENT: As there are only a few amendments, and as all of them relate to Section 366 (B), I do not propose to take the Bill clause by clause.

The question that clauses I & II of the Bill as revised by the Select Committee do stand part of the Bill was put and carried; and the clauses were added to the Bill.

Clause III

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): I do not move the first amendment.

PRESIDENT: Then you may move the next amendment.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): I beg to move the following amendment.

In Section 366 (B), line 1, insert

"British India or any State in the Continent of India or " after the words " whoever imports into Travancore from "

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): I second it.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): Sir, the object of the Bill is said to be to prevent traffic in women and childern. The Section, as it stands, is not wide enough to cover cases of importing into Travancore from British India women who are born and bred up in British India. The Section relates only to cases where women are imported into Travancore from any country outside British India or from British India within the limits of which they have been imported from any country outside British India.

MR. A. THANU PILLAI (*Trivandrum*): May I know what is the amendment that has now been moved ?

PRESIDENT: We are at the second amendment standing against Mr. Chandi's name.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): Though in a Federal India women from British India will have to be considered as our sisters, I submit it is not necessary that we should show any partiality towards them in enacting this measure.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to oppose the motion.

[Mr. Kayalam Parameswaran Pillai.]

As I had explained at the introduction of the Bill, this piece of legislation was introduced for discharging certain obligations arising by reason of Travancore being a part of the Empire which was a party to certain international Conventions regarding traffic in women and children. My object is simply to bring our law into conformity with that of British India in regard to traffic in women and children. The corresponding provision in British India is Section 366 (B) of the Indian Penal Code. I shall presently read that Section. Let me say at once that in British India it is no offence to import a Travancore women into British India for any purpose. When in British India it is not considered as an offence, why should the import of a British Indian woman from British India into Travancore be deemed as an offence?

MR. K. C. CHANDI (*Minachil* cum *Devicolam*) : May I know whether there is any country which imposes a bar on Travancore women?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); I am not aware, unless it be the case of countries which, having been a party to the Convention, have prohibited women of the Indian Empire being imported into those countries; and Travancore women also go in as Indian Empire women. We have to remember that practically we are legislating for an Imperial matter. Travancore is part of the Empire ; and when we legislate for our Law being brought into conformity with that of the Indian Empire, we must make a corresponding provision and not impose any restriction on the transport or passage of women from one part of the Empire to another. This is the law in British India, (Section 366 B of the Indian Penal Code):

> "Whoever imports into British India from any country outside India any girl under the age of twentyone years with intent that she may be, or knowing it to be likely that she will be, forced or seduced to illicit intercourse with another person ....";

so that if a woman is imported from any Indian State to British India, that is no offence under the Law in British India. Then, the question is, why we should make import of Indian women into Travancore an offence. That Section further proceeds as follows :

> " and whoever with such intent or knowledge imports into British India from any State in India any such girl who has with the like intent or knowledge been imported into India, whether by himself or by another person shall be punishable with imprisonment which may extend to ten years and shall also be liable to fine."

That is to say, if a foreign woman is imported into a Native State, and from there into British India, that is punishable. I have made the Section in the Bill comprehend that also. But if a British Indian woman is imported into Travancore that is not made punishable; and that is on a line with the British Indian provision.

There will also be some anomaly in making the amendment proposed by Mr. Chandi. Section 366 A of the Indian Penal Code provides :

[MR. KAYALAM PARAMESWARAN PILLAI.]

"whoever, by any means what so ever, induces any minor girl under the age of eighteen years to go from any place or to do any act with intent that such girl may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to ten years and shall also be liable to fine."

So, if any minor girl in British India is removed and if she is above 18 years of age that will be no offence. Now, Mr. Chandi wants to provide in the Bill that if any woman below 21 years of age is imported from British India into Travancore it should be considered as an offence, whereas in British India it will not be an offence. But apart from that, I may say that I do not want that the law should go any way beyond the purpose for which we are legislating.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Sir, I support the amendment moved by Mr. Chandi. In Section 366 (A) it is stated as follows:

"Whoever, by any means what so ever, induces any girl under the age of eighteen years to go from *any* place ......"

I understand even if the act is committed within Travancore it is made an offence. From one part of the country to another part if such a girl is induced to go away it becomes an offence. If that be so it is all the more necessary that women from British India who come to Travancore must be prevented from so coming. In Section 366 (A) the age 18 is fixed because the age of majority in Travancore is 18.

In Section 366(B), age 21 is fixed that being probably the age of majority in British India. I think it is a peculiar privilege for people in British India to disregard the discrepancy of the ages in the two sub-clauses referred to. I think the offence remains the same whether it is committed in Travancore, or by people who come to Travancore from British India. The essence of the offence is———

PRESIDENT: The age 21 applies to people coming from outside.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Yes, to those people who come from British India.

"Whoever imports into Travancore from any country outside the continent of India any girl under the age of twenty-one years......"

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated Deputy President*): May I ask the member the necessity for making a discrimination between a Travancore woman and a British Indian woman?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): My submission is, we need not make any discrimination at all. We shall be fair to women irrespective of the country from which they come.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Does the member realise that the proposed amendment is really a discrimination against British Indian Women? If the amendment is accepted it is imposing a discrimination against a lady coming from Cochin.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): That is only against British India and not against women.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I think we are concerned only with women

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : Even though it is a discrimination against British Indian women, my point is, no such discrimination should be made as regards women, whether they be of British India or of Travancore or of any part of the World.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : What is the reason for discriminating against British Indian women while the British Indian Government does not discriminate against a Travancore lady ?

PRESIDENT : I think what Mr. Abraham wants is that the age 21 must be applied to all women whether Indian or Non-Indian.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : What has that to do with the present amendment ?

PRESIDENT : What he wants is, that the Section which fixes 21 as the age, must be made applicable to women comming from British India also.

MR. A. THANU PILLAI (*Trivandrum*) : Is the Member supporting or opposing the amendment ?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) . I am only supporting the present amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Will the member please tell the House in whose interest the present amendment is moved. Is it to protect British Indian Women ?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : Morality in Travancore should not be jeopardized ; we shall enact so as to avoid foreigners coming into Travancore to do all sorts of unpleasant acts.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know whether the member has sent up any amendment to prevent or prohibit prostitution in Travancore ?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : I am only supporting Mr. Chandi's amendment.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*) : The Law Member said that it is only fair that as the British Indian Code does not make any provision of this nature we also should not make a similar provision. I am not satisfied with that. In enacting a piece of legislation we are not to be carried away by instincts of reciprocity or by what is being followed in British India.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Please speak louder.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*) : It is morality in Travancore that we want to preserve, and it is with that intent that this measure has been sought to be introduced.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know from the member whether morality will not be violated when Cochin women are imported into Travancore ?

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): I do not make any distinction between women from a Native State or from outside. In case the amendment is accepted that will be quite in conformity with the recommendations of the League Council. It will prevent traffic in women irrespective of the question whether traffic is conducted in British India or from any country outside it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member think that prostitution, or the aiding of prostitution as such are offences in Travancore?

MR. K. C. CHANDI (*Minachil* cum *Devicolam*). I believe it is not, except with the introduction of this Bill. So, I think this amendment is very necessary.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mr. Chandi said that the object of the amendment is to protect morality in Travancore. Certainly, it is a very noble ideal. But, he himself admitted that prostitution as such is not an offence here; and I may say it is not an offence elsewhere also. When the Bill was originally introduced I had a provision for making penal the aiding of *the business* of prostitution. The Select committee after carefully considering it came to the conclusion that even that was unnecessary. At the introduction of the Bill there was some adverse comment on that provision. But the present amendment goes further and makes the aiding of even a single act of prostitution an offence if the woman concerned is a British Indian woman, but not if she is a Travancore woman. As for the protection of British Indian women, I think that we may leave it to the British Government to move for it in the first instance.

The amendment of Mr. Chandi was then put to vote and declared lost.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): Amendments 3 and 4, I do not move.

The question that clauses III and IV do stand part of the Bill was put and carried; and the clauses were added to the Bill.

Clause V.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In clause V, I want to move a formal amendment.

PRESIDENT: What is that, please?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In the Explanation proposed by Clause V, I move that the words "female" be altered into "girl" in both the places where it occurs.

A similar amendment was made by the Select Committee in the Explanation proposed by another Clause, but by an over-sight it was not done in Clause V. So, I move the amendment.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

[MR. R. Nilakanta Pillai.]

The question that Clause V, with the amendment proposed by Mr. Kayalam Paramesvaran Pillai, do stand part of the Bill was put and carried; and the clause as amended was added to the Bill.

Clauses VI, VII and VIII.

The question that clauses VI, VII and VIII do stand part of the Bill was put and carried; and the clauses were added to the Bill.

The question that the Preamble do stand part of the Bill was then put and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that the Bill as settled by the Council be taken up at a subsequent meeting and passed.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The motion was carried.

THE TRAVANCORE TOWN PLANNING BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Travancore Town Planning Bill. It has been published in the Gazette with a Statement of Objects and Reasons; and I now beg to move that the Bill be read in Council.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall now briefly explain the principles involved in the Bill. As will be noticed from the Preamble to the Bill, the general object of this measure is the development of towns. That development is proposed to be achieved by means of a previously settled plan called a town-planning scheme. The object of such regulation is, as is explained in the Preamble to the Bill to secure, to their present and future inhabitants, sanitary conditions, aminity and convenience. What a town is will be readily understood. A town is a collection of houses or buildings with an agglomeration of population. The buildings need not necessarily be residential. Their purpose may be industrial or educational, or amiliorative, curative and so forth. And, the population that conglomerates in a town does so for various purposes, not necessarily residential. Thus, what go to make up a town are the various classes of buildings together with the open space, the roads, the drainage system, lighting system, etc. Now this town has grown up not in a day or two but day by day, and bit by bit. It is growing up in a haphzard manner without any previous design. We can easily imagine what a town will be like and what the consequences will be if a town grows up in this fashion without any arrangement. There may be a school here and immediately next to it there may be a factory emitting offensive fumes, and next to it a hospital. The residential quarters may be in one place and the commercial quarters in another place, say, five miles away. The roads may be narrow, and traffic may not be easy on such roads. There may not be space enough for motor cars to pass, and even if you want to widen the roads it may not be possible to do so now at a

reasonable cost. These conditions which affect the sanitation, convenience and amenity do not arise by any deliberate action of course. They are more by accident or rather by an utter absence of any well-defined plan or design in the development of the town. An expert in Town-Planning recently explained that the sanitary conditions, convenience and amenity represent the three-fold nature of man, namely, the body, mind and spirit. Sanitary conditions are required for his physical well-being, *i. e.*, to make urban life possible. Convenience is required for his mental balance, *i. e.*, to make urban life tolerable. And amenity is required to meet the desires of his senses, that is, to make urban life attractive. Thus, to serve the citizen in his threefold requirements it is necessary that the town should be planned before hand in some definite manner.

To plan is to take forethought. Town-planning is the use of intelligence and forethought in the development of towns. That being so, you must intelligently design beforehand and make the town grow according to that design. Even if you look at it from a merely economic point of view it will be seen that to plan beforehand and then make a thing according to the plan is cheaper. It is only a millionaire who can afford to do things without a plan, that is, without counting the cost. A man who does things without planning, if he is not rich, is rightly regarded as a fool. We say of him that 'his head will never save his heels'. The poorer the man and the poorer the town, the more essential does a plan become. That being a patent fact it is always cheaper to develop the towns in accordance with some well-defined plan. I am not an expert enough to point out the various defects of our towns. I would draw the attention of the House to what may perhaps be taken to be a defect of Trivandrum merely to illustrate my point. Take the case of the Chalai bazaar. It is a busy centre but has a very narrow road between the two rows of shops for the shop-goers and the ordinary passer by and also for the goods wagons, *chakkada vandis*, as also for the men with head-loads. All these have to pass by the same narrow road. Now, just imagine that at the time when the Chalai bazaar was being built there were a plan and anticipating the future, parallel roads behind the shops had been constructed even then. What a convenience it would have been? Apart from the mere convenience it would be more economic for the shop-owners to bring the goods and therefore for the purchasers also, not to speak of sanitary conditions. I do not want to expatiate on the many advantages of a town-planning system. There is legislative provision for town-planning in England. In India, there is an Act in Madras. This Bill is drawn up generally on the lines of the Madras Act with one difference. According to the Madras Act it is compulsory for every Municipality to prepare a scheme and submit it to Government. But here I have left it to the option of the Municipality concerned. In regard to the details of the provisions of the Bill, I have explained it in the Statement of Objects and Reasons, and I need not reiterate all that. I

[Mr. Kayalam Parameswaran Pillai]

may add, in support of the necessity for the measure that the Government, having in view an extension of the Trivandrum town, decided to have a town-planning law passed, so that it may be directly applied to the extension.

Independently of the Government's intentions, the Trivandrum Municipal Council considered the matter and they recommended to Government the passing of a law for town-planning on the lines of the Madras Act. Besides, the P. W. Department who are in charge of roads, who are very often called upon to ease curves of roads, also felt the need for a town-planning law. This Bill has accordingly been prepared and placed before the House.

MR. O. M. THOMAS (*Kottayam*): Is there any other Municipality than the Trivandrum Municipality that has sent up a recommendation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not aware of any other Municipality.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I support the introduction of the Bill in general. I have to make one observation. As observed by the Law Member, the Bill, in the Preamble, contemplates that it is expedient that the development of towns should be regulated to secure, to their present and future inhabitants, sanitary conditions, amenities and convenience. My submission is that in the corresponding piece of legislation, that is, in the Madras Act referred to by the Law Member, there is a Section, the provisions of which are applicable to the villages also, when and if, it is considered necessary. Here, we have just begun to put into operation provisions of the Village Panchayat Regulation which also contains provisions for sanitary improvements and irrigational facilities and such other things as are contemplated by this piece of legislation. So, my point is that, when this Bill is considered in detail, by the Select Committee, the provision on the lines of the Madras Act may be made applicable to the villages in Travancore also and a provision be added on to the Bill. With these few observations, I support the principle of the Bill.

MR. P. S. MAHOMED (*Nominated*): സർ, ടൌൺ പ്ലാനിങ്ങ് സ്കീമിൻെറ പ്രധാന ഉദ്ദേശം ടൌൺവാസികൾക്ക കൂടുതൽ സുഖവും ആരോഗ്യവും ഉണ്ടാക്കുക എന്നുള്ളതാണ്. മററു സ്ഥലങ്ങളിൽ നിന്നും ജനങ്ങൾ പല സംഗതികളെ ഉദ്ദേശിച്ചും ടൌണുകളിൽ വന്നു തിങ്ങി കുടിപാൎക്കുന്നതായി കാണുവാൻ കഴിയും. പട്ടണങ്ങളിലെന്നല്ല ഏതു ഭാഗത്തും താമസിക്കുന്നവരുടെ ആരോഗ്യത്തെയാണ് ഗവൎമ്മെൻറു പ്രധാനമായി നോക്കേണ്ടതു്. ജനങ്ങളുടെ ആരോഗ്യത്തെ നശിപ്പിക്കുന്നതിനു ടൌണുകൾ പോലെ പററിയതായി മറെറാരു സ്ഥലവും ഉണ്ടെന്നു തോന്നുന്നില്ല. പല സ്ഥലത്തുമുള്ള മുനിസിപ്പാലിററികൾ ജനങ്ങളുടെ ആരോഗ്യത്തെ അടിസ്ഥാനപ്പെടുത്തി പലതും പ്രവൎത്തിച്ചു വരുന്നുണ്ടെങ്കിലും അവരുടെ

[Mr. P. S. Mahomed.]

പ്രവൎത്തി ശരിയായി ഫലിച്ചു കാണാതെയാണിരിക്കുന്നതു്. ഉദാഹരണമായി ടൌണിനുള്ളിൽ തന്നെ ചില സ്ഥലങ്ങൾ കൃഷിസ്ഥലങ്ങളായിരിക്കും. അവിടെ നിന്നും കൊതുക തുടങ്ങി സാംക്രമിക രോഗോല്പാദകമായ വിഷജന്തുക്കൾ പുറപ്പെട്ടു ടൈഫായിഡ്‌ മുതലായ രോഗങ്ങൾ പരത്തി വരുന്നുണ്ടു്. മുനിസിപ്പാലിററി ഏതെല്ലാം വിധത്തിൽ ശ്രമിച്ചിട്ടും അതിനു ഒരു പരിഹാരം ഉണ്ടാക്കാൻ കഴിഞ്ഞിട്ടില്ല. ആലപ്പുഴ തന്നെ നോക്കുന്ന പക്ഷം ഇങ്ങനെയുള്ള സ്ഥലങ്ങൾ പലതുമുണ്ടു്. ഇപ്പോൾ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള ബില്ലുകൊണ്ടല്ലാതെ മേൽപറഞ്ഞ ദോഷത്തിനു ഒരു നിവൃത്തിയും ഉണ്ടാക്കുവാൻ സാധിക്കുന്നതല്ല. ഈ സ്കീം കൊണ്ടു ജനങ്ങളുടെ ആരോഗ്യസ്ഥിതി നന്നാക്കാമെന്നുമാത്രമല്ല അതിലേക്കു ചിലവാക്കുന്ന പണത്തിനെ അപേക്ഷിച്ചു് കൂടുതലായ ആദായം ലഭിക്കുകയും ചെയ്യും. ശുചീകരണവിഷയത്തിൽ മുനിസിപ്പാലിററി ക്രമത്തിലധികമായി പ്രവൎത്തിക്കുന്നുണ്ടു്. ചില സ്ഥലങ്ങളെ സംബന്ധിച്ചു ഈ വിഷയത്തിൽ എത്ര തന്നെ ശ്രമിച്ചു് പ്രവൎത്തിച്ചാലും ഫലമില്ലാതെയാണ് കാണുന്നതു്. ഉദാഹരണമായി ആലപ്പുഴയുള്ള മാക്കററു വാൎഡിനെ തന്നെ എടുക്കാം. ഈ പ്രദേശത്തു താമസിക്കുന്നവർ മത്സ്യം പിടിച്ചു വില്ക്കുന്ന ഒരു കൂട്ടം ആളുകളാണ്.

MR. S. KRISHNA PILLAI (*Karunagapalli*): മെമ്പർ ഈ ബില്ലിനെ അനുകൂലിക്കുന്നുവോ പ്രതികൂലിക്കുന്നുവോ?

MR. P. S. MAHOMED (*Nominated*): ഞാനിതിനെ അനുകൂലിക്കയാണെന്നു എന്റെ പ്രസംഗത്തിൽ നിന്നും എന്റെ സ്നേഹിതനു മനസ്സിലാക്കാൻ കഴിയാത്തതിൽ ഞാൻ വ്യസനിക്കുന്നു.

MR. S. KRISHNA PILLAI (*Karunagapalli*): എനിക്കു മനസ്സിലാക്കാൻ സാധിച്ചിട്ടില്ല. മെമ്പർ പ്രതികൂലിക്കയാണെങ്കിൽ മാത്രം ഈ മത്സ്യത്തിന്റെ കാൎയ്യത്തെപ്പററിയും മററും ദീൎഘമായി പറഞ്ഞാൽ മതിയെല്ലോ. അനുകൂലിക്കയാണെങ്കിൽ ഇത്ര ദീൎഘമായ പ്രസംഗത്തിന്റെ ആവശ്യമില്ലല്ലോ.

PRESIDENT: Mr. Krishna Pillai, please allow him to go on. He is explaining to make his position clear.

MR. P. S. MAHOMED (*Nominated*): അതിനെപ്പററി പറയേണ്ട ആവശ്യമുണ്ടോ ഇല്ലയോ എന്നു നിശ്ചയിക്കേണ്ടതു പ്രസിഡന്റാണ്.

ഇങ്ങനെ ഈ മത്സ്യകച്ചവടക്കാർ ഒരു വീട്ടിനു മുകളിൽ ഒരു വീടു എന്ന നിലയിൽ ചെറിയ ചെറിയ കുടിലുകൾ കെട്ടി അവയിലാണ് താമസിച്ചു വരുന്നതു. ഏതെല്ലാം വിധത്തിൽ ശ്രമിച്ചാലും അവിടെ

[Mr. P. S. Mahomed.]

ശുചീകരണം നടത്താൻ സാധിക്കുകയില്ല. ആ സ്ഥലങ്ങളെല്ലാം പോയി പരിശോധിച്ചു അവക്കു ചെറിയ ചെറിയ തെരുവുകളായി ഭവനങ്ങൾ കെട്ടി കൊടുത്താൽ ശുചീകരണത്തിനു സൌകര്യമായിരിക്കയും അവിടെ താമസിക്കുന്ന ആളുകൾക്കു സുഖമായി താമസിക്കുന്നതിനു സാധിക്കുകയും ചെയ്യും. എന്റെ സ്നേഹിതൻ മി: ഒ. എം. താമസ് തിരുവനന്തപുരം മുനിസിപ്പാലിററിയല്ലാതെ മറേറതെങ്കിലും മുനിസിപ്പാലിററി ടൌൺപ്ലാനിങ്ങ് സ്കീമിനെ അനുകൂലിച്ചിട്ടുണ്ടോ എന്നൊരു ചോദ്യം ചോദിക്കയുണ്ടായി. എന്നാൽ തിരുവനന്തപുരം മുനിസിപ്പാലിററി എന്നു മാത്രമല്ല മററു മുനിസിപ്പാലിററികളും, മുനിസിപ്പാലിററിയോടു സംബന്ധപ്പെട്ട ആളുകളും ഇതാവശ്യമാണെന്നുള്ള അഭിപ്രായക്കാരാണ് എന്നു അറിയിക്കുന്നതിനു വേണ്ടിയാണ് ഞാൻ ഇത്രയും ഇവിടെ പ്രതിപാദിച്ചതു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): ആലപ്പുഴ മുനിസിപ്പാലിററിയിൽ നിന്നും, ഇതാവശ്യമാണെന്നു അപേക്ഷിച്ചിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): അപേക്ഷിക്കേണ്ട ആവശ്യം ഇതിനു മുമ്പുണ്ടായില്ല. ഇപ്പോൾ ഈ ബിൽ ഈ കൌൺസിലിൽ അവതരിപ്പിച്ചിട്ടില്ലായിരുന്നു എന്നു വരുകിൽ ആലപ്പുഴ മുനിസിപ്പാലിററി നിവാസികളുടെ ആരോഗ്യത്തിനും ടൌണിന്റെ ശുചീകരണത്തിനും ശ്രദ്ധ പതിപ്പിച്ചു പ്രവർത്തിക്കുന്ന ആളുകൾ മുന്നോട്ടു വന്നു ഇതിലേക്കു തുടങ്ങുമായിരുന്നു എന്നാണ് എന്റെ വിശ്വാസം.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I also welcome the Bill. It is a well-known fact that some of our towns, at any rate such of our towns as deserve the name of towns, are subject to all manner of diseases. There may also be certain towns in the State which are called or misnamed towns to which what I now say does not apply. For instance, I will refer to Neyyattinkara or Kuzhithurai or Neduvangad. They are not towns in the accepted sense of the term; but some of these are towns for the purposes of the Municipal Regulation. I refer only to real towns. When we consider our town of Trivandrum, the capital, whoever knows any thing about it, whoever has cared to stay in the town for a day, probably even for a few hours, will be struck with the way in which the health of the town is neglected. I do not say who is responsible for it; but we know for a fact that a large part of the town is really unfit for human occupation, even though the whole town is thickly populated.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Do you exempt the Municipal Council?

MR. A. THANU PILLAI (*Trivandrum*): I do not say whom to exempt and whom not to exempt. Whoever is responsible for the health of the town cannot escape blame. If it is the Municipal Council, it cannot escape, and if it is the Government, Government cannot escape blame. I only want this House to realise that many parts of the town are really unfit for human occupation, even though the whole of the town is thickly populated—I refer to places like Pazhavangadi, Fort, Manakad, Chalai and some other parts of the town. I do not say that the want of a town-planning scheme is alone responsible for it. But I may assert without fear of contradiction that if a well-considered scheme of town-planning is not introduced without any delay what-so-ever, the other parts of the town will also soon get into the same condition as we find some of these parts in. I may say that even Puthenchandai is getting unfit for occupation. As Mr. Kayalam Paramesvaran Pillai pointed out our town has grown of its own accord without anybody caring to see how it grows. We find very narrow lanes with costly buildings on either side with hardly room for a carriage to move along. We find at the same time the drain on one side which is seldom clean. As Mr. Kayalam Paramesvaran Pillai pointed out, I need not dilate much upon this matter, but I want to emphasise one fact. If this Bill becomes law, is it to remain a dead-letter? That is the question that I want to raise. Or, is it seriously meant to be put into operation. I can give many instances of Bills which have taken up a good deal of the time of this House and have been passed into law; and they are left there as a dead-letter. If that is going to be the fate of this Bill also there is no use troubling ourselves with it. We hear Mr. Paramesvaran Pillai telling us that the Trivandrum Municipality has recommended the passing of a law like this. That is because there is very great necessity for it. Now the Bill is before us and it will soon be passed into law. The mover has made a very important alteration in his Bill from the provisions of the corresponding Madras Act. I ask, why not make it obligatory on every Municipality to prepare and adopt a town-planning scheme. The course now suggested by the mover would lead to this result. What we find Trivandrum to be to-day we shall find other Municipalities also to be, some time hence. Why should we wait for this? We hear that the inhabitants of certain Municipalities do not want those Municipalities. For instance, I hear of Haripad where the people of the place do not want to be considered as a Municipality. Some such places are not fit to be called municipalities. Why should we call a particular area an urban area, or a municipality?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): But who should judge as to whether a particular area is to be called municipal area or not.

MR. A. THANU PILLAI (*Trivandrum*); I say, whoever is responsible for it should look into the matter and see that only such places as stand in need of being made Municipalities are made so.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I ask one question; is it Mr. Thanu Pillai's contention that the people in a particular area are never to be taken as citizens of a Municipality merely because they say they do not want it?

MR. A. THANU PILLAI (*Trivandrum*): I was speaking of areas which do not stand in need of being styled Municipalities, which do not deserve to be considered Municipalities. If a place wants to be a Municipality it should prepare a town-planning scheme; otherwise a time will come when that Municipality will get congested, unhealthily congested.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What should be the penalty if a Municipality does not carry out the town-planning scheme?

MR. A. THANU PILLAI (*Trivandrum*): If a law is laid down the several bodies affected by it must obey it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I want to know what the suggestion of the member will be with regard to the penalty that is to be imposed?

MR. A. THANU PILLAI (*Trivandrum*): Municipalities are constituted under a law, and that law the Municipalities are bound to obey. If any body does not obey the law it will go out giving place to those who obey the law.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If the Municipality is abolished; that is what I wish to know?

MR. A. THANU PILLAI (*Trivandrum*): That is what I want to make mention of now.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes. Municipal Council may think that it will not be good for the inhabitants of the town to spend somuch money on a town-planning scheme.

MR. A. THANU PILLAI (*Trivandrum*): It will be open for the legislature to pass a law that, for a place to become a Municipality, it must conform to certain rules. I do not think that if a salutary law is laid out, any of our Municipalities would disobey it; and I throw out this suggestion for the consideration of the Select Committee. If after due consideration the Select Committee comes to the conclusion that this provision will be conducive to the welfare of the Municipalities, they may accept it. Now, for the time being my view is that it must be made obligatory. We know, Sir, many instances of Bills having been passed but not effectively brought into force. The Village Panchayat Regulation was passed six or seven years ago. This

Bill will pass into law. It will also, be in the Statute Book like many other Bills that have already been passed into law through this House; and it will remain a dead-letter. And many of our towns may not view the town-planning scheme as a very urgent measure. I would suggest in all earnestness that this be made an obligatory function of every Municipality. The Madras Act, I think, provides further that in case where the Government exempt them from preparing the scheme, they can do without it. Some such provision at least may be put in in our Bill. The normal thing will be for the Municipalities to prepare town-planning schemes. They may ask for exemption on sufficient grounds, and Government may allow it.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Will my friend concede that the citizens of the Municipalities will have to be heavily taxed before a town-planning scheme is put into effect; or does he approve of the general tax-payers in the land being taxed extra for the benefit of a few people in the urban areas?

MR. A. THANU PILLAI (*Trivandrum*): Sir, that is a question that has come up for consideration here many a time. With regard to the Trivandrum Municipality I have always been maintaining that the general resources of the State can very well be made use of for the improvement of the capital. Now, how far the general tax-payer could pay for the improvement of other Municipalities, is also an important question. Take for instance the Municipality of Quilon. That exists not merely for the people inhabiting Quilon but also for the district. So, it stands to reason that the district also should contribute.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Does the member maintain that Government alone should contribute towards the functioning of these institutions?

MR. A. THANU PILLAI (*Trivandrum*): Government should contribute. Otherwise our Municipalities cannot continue as such. I do not think there need be any doubt on that matter. It has to contribute largely. The Trivandrum Municipality is not able to make both ends meet, even though its activities are very restricted. What the Trivandrum Municipality does is, some scavenging work and some lighting. Beyond that I do not think anything is done. All the same the Municipal dues collected are heavy so far as the people are concerned.

In these days when locomotion is made easy we may extend the towns to suburban areas. Trivandrum, for instance, is not a commercial or industrial centre. Here we have got a number of vakils and Government Officers. Why should all these people live together in such a small area? Why not remove some of our courts five miles away to Vattiyurkavu, and our Colleges also to some other place? This is possible in the case of a town like Trivandrum. It is a mistake to allow

[Mr. A. Thanu Pillai.]

ourselves to get into this condition of ill-health and disease. The town has already become congested, and so also Alleppey, Nagercoil and Kottayam. All these towns have to be relieved of their congestion.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is the member aware that if the Government are to contribute much larger sums to the towns, by that course, they will deprive the poor villagers of the little benefits that they derive now?

MR. A. THANU PILLAI (*Trivandrum*): I do not understand why the villager should be deprived of the benefit that he now gets.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If larger sums were given for towns only the remaining will be available for the villagers.?

MR. A. THANU PILLAI (*Trivandrum*): It does not mean that enough will not be left for the villages.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I ask Mr. Thanu Pillai whether in the Village Panchayat Regulation it is not expressly provided that Government should contribute three-fourths for the first five years and one-half for the next?

MR. A. THANU PILLAI (*Trivandrum*): Yes, I know. Sir, there seems to be a misconception. My friend seems to think that Trivandrum is for the people of Trivandrum alone. It is not so. If Mr. Damodarn Asan's children come here for College course they have to be in Trivandrum.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does the member know that all those people who come here pay the Municipality for the convenience they enjoy?

MR. A. THANU PILLAI (*Trivandrum*): I do not know.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Then, how is it that the Municipality is now getting on?

MR. A. THANU PILLAI (*Trivandrum*): It is getting on badly enough. It is getting on mainly because the inhabitants of the Municipality contribute. If we can introduce measures for the improvement of the town, we may be able to get a good return. For instance, if we can open out some of the less known parts of Trivandrum where we may now get land not more than Rs. 25 per cent, if we construct good roads and lay out good streets, I think the price there would rise to Rs. 150 or even Rs. 250 for a cent. All that means money. Even without Government support a good deal may be done. A well-conducted Municipality may be able to do a good deal without Government support. But a good deal of Government help *is* necessary under existing conditions. But let us save ourselves from this misconception, that, Government money spent on towns is a waste. I am really surprised that some

of my friends take that view. After all, the villagers are not going to suffer if more money is spent for the Trivandrum town.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does the member know that people who come from other parts will be able to compare the amenities of towns and villages and come to right conclusions?

MR. A. THANU PILLAI (*Trivandrum*): Some people will be able to do that; but some others will never be able to do it.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): What is the contribution, to the Municipal funds, from the floating population? You have got a large floating population. What is their contribution?

MR. A. THANU PILLAI (*Trivandrum*): Their contribution, so far as I can see, is nothing.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Really! What about the tolls that you collect?

MR. A. THANU PILLAI (*Trivandrum*): Yes. I forgot that. That is in regard to people who come in motor cars. People who come in trains do not pay tolls. Only the richer men who go in motor cars give something. After all what is it! It is only four annas.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Six annas.

MR. A. THANU PILLAI (*Trivandrum*): Is it six annas?

MR. M. MAHOMED MUSTAPHA (*Commerce and Industry, South*): One rupee for buses.

MR. A. THANU PILLAI (*Trivandrum*); But there are not many buses.

MR. M. MAHOMED MUSTAPHA (*Commerce and Industry, South*); The Trivandrum Municipal toll-gate brings about Rs. 6,000.

MR. A. THANU PILLAI (*Trivandrum*): Rs. 6,000 or even Rs. 10,000 is not much for the Trivandrum Municipality.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): But the amount has its importance even at present.

MR. A. THANU PILLAI (*Trivandrum*): It has. It is not a deliberate omission that I made.

Sir, I do not wish to take more of the time of the House. I welcome this Bill in all earnestness. I would urge upon Government that the Bill, when it is passed into law be put into effect, to begin with in the Trivandrum town, and then be extended to Nagercoil Alleppey and other important towns.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Sir, I beg to support the principle of the Bill. There is no doubt that there is necessity for a statute laying down the lines on which cities should grow up in future laying down the line on

[Mr. Rao Bahadur K. A. Krishna Aiyangar.]

which the mistakes committed in the past may be rectified hereafter. In that spirit I welcome the proposed measure. But every measure that is intended to improve the material well-being of the people necessarily implies heavy expenditure of money. I propose to concentrate my remarks on the financial aspect of the question alone for the present. I am not one of those who hold a parochial view, that the Trivandrum town is enjoying certain amenities of life and that therefore Trivandrum alone should contribute to the upkeep of electric lights, water-supply and first class roads. I do not hold such a view at all. My friend is claiming a certain amount of importance for the town of Trivandrum because it happens to be the political centre of the State where people from all parts of Travancore have to resort to frequently. It is perfectly true.

MR. A. THANU PILLAI (*Trivandrum*): I do not want to take a restricted view like that. I know, for instance, Alleppey is the commercial capital of the State.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): There is Alleppey. That is the commercial capital of the State. Its well-being is as much the concern of the inhabitants of Alleppey as of the whole Travancoreans whose commodities pass through the Alleppey Port and who have to get the bulk of their requirements through the Alleppey Port.

So, there is nothing wrong in the Government contributing a certain portion of the general revenues towards the expenditure within a limited area, ostensibly for the benefit of the people inhabiting that area, but really for the benefit of a very larger class of the population. But my point is that there must be some well-understood rule as to the proportion of such contribution out of the general revenues. I remember, Sir, some years ago, a committee of the Madras Council was constituted—I believe its recommendation was accepted—and its unanimous recommendation was that, if any particular local self-governing institution was prepared to raise half of the funds required for a particular purpose, the other half should be contributed from the general revenues of Government. I am not suggesting, Sir, that that rule of three should be adopted in Travancore also. My submission is that we should know beforehand, particularly when we are about to enter upon such big schemes as town-planning, we should have some idea as to the proportion that the people of the locality should contribute and the proportion that the Government should contribute out of the general revenues of the State.

And then, Sir, in view of the financial difficulty that is now confronting us, is my friend Mr. Thanu Pillai justified in suggesting that the benefits of this measure must be forced upon every local self-governing institution in the State? In the present condition of our finances, and in the possibility of no relief from the situation in the immediate future, is it not safer to make it optional, with particular areas, to choose

whether they would go in for this costly white-elephant scheme or suffer the difficulties that they may be suffering now for a few years more? Solely in view of the financial aspect of the question, I am not for the Government or for this Council making it *obligatory* on all self-govering istitutions to adopt the scheme. There are, what you may call, essentials; there are what you may call non-essentials or luxuries. Sir, subject to correction, I regard this scheme of town-planning as a luxury which no doubt may be gone in for if we have got our purse sufficiently well-filled to meet the requirements of the situation. If the people in particular localities come forward and say 'Here is a scheme for water supply in our town; the estimated expenditure is one lakh of rupees ; please give us 50,000 ." That is a perfectly reasonable proposition; and under such circumstances the Government should willingly contribute Rs. 50,000 from the general revenues of the State. That the attitude of the Government in the matter of helping self-governing institutions is very generous could be seen from the fact that in the Village Panchayat Regulation there is a statutory provision that, for the first five years, three-fourths of the expenditure of the village institutions should be borne by the Government and that thereafter the expenditure should be divided equally by these local institutions and the Central Government. Sir, why is it that the proportion of contribution from the Central Government has thus been fixed in the statute itself? That is the point that I now want the House to consider. I was myself a party to that provision in the Village Panchayat Regulation. We insisted on such a provision because of the bitter experience we had from the working of the Municipal Regulation. Sir, when the Municipalities were first started, practically the entire expenditure was borne by the Government. Later on, the contribution from Government varied with the intensity of pressure which particular local bodies were able to bring to bear upon the Government. And now, the grants from Government have been abolished practically in regard to all the Municipalities in the State. It is therefore, Sir, that I am submitting that, in the case of such a big scheme as town-planning, pregnant with possibilities of great usefulness, the financial aspect should receive the earnest attention of the Select Commmittee before this Bill comes up again for second reading. No doubt theless costly method, of starting new cit-ies, will be the suburban extention, the opening of first class roads, the establishment of garden cities as Mr. Thanu Pillai suggested. Trivandrum is practically a garden city even now. With the exception of a few isolated spots in the Fort and near Chalai, Trivandrum is really a garden city. In fact, the whole of Travancore, with the exception of Nagercoil and Shencotta, and a few trade centres like Alleppey, is full of garden cities. Therefore, Sir, let us try to maintain that position instead of spending huge amounts on big town-planning schemes, as has been done in British India where towns have to be planned for bringing together lakhs of people in comparatively small areas. Sir, that way lies danger. I am also not in favour of demolishing whole

[Rao Bhadur K. A. Krishna Aiyangar]

lines of shops just to make the roads a few yards broader in order that a couple of cars may run abreast. In the case of the Puthenangadi in Alleppey, a similar suggestion was made, and it was proposed that one side of the shops may be acquired and dismantled so that the whole of it might form a fine broad road with the canal in the centre. Government were good enough to consider the proposal, but it had to be dropped since the compensation for the shops to be demolished amounted to a very big figure. When difficulties like that have been experienced by us in town-planning, let us have due regard to the financial aspect of the question. An attempt may be made in this direction only to the extent that local and central finances permit. Having due regard to this aspect of the question, I have no objection to Trivandrum being given the chance of starting it in the first instance. I am only suggesting that this financial aspect of the question should be very seriously considered, and, if considered desirable, the contribution that the Government shall make, out of the general revenues, and the contribution that the local bodies may have to make, may be definitely laid down in the statue itself. These aspects of the question, I feel confident will receive the very careful attention of the Select Committee; and if the question of the contribution is definitely settled, I do not find any objection to our adopting the town-planning scheme by which we can convert our country into several beautiful towns with parks and plenty of play-grounds which are now a real want. I have no doubt the measure will prove a real blessing to the people if properly financed and worked in a spirit of enthusiam.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, I rise to support the principle of Bill. In doing so, I want to contradict certain opinions that have been expressed on this side of the House. It has been stated, Sir, that town-planning is only a luxury and perhaps an ideal to be kept in view, and that therefore it should not be made obligatory on the part of unwilling centres to adopt the town-planning scheme. I entirely differ from that view point, Sir; because, I do feel that the healthy conditions necessary for a town cannot be obtained unless town-planning schemes are put into operation in time. I cannot for a moment admit that it can be left to the sweet will and pleasure of a body of people who do not know what is sanitary living, what are the benefits of town-planning, the benefits that would accrue to them if the town-planning scheme is adopted.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is it my friend's suggestion that the municipalities in outlying areas..................

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I am not speaking particularly with reference to the people living in municipal areas; I am talking of the people in general in all parts of our country. We are not alive to a sense of sanitary living as we ought to be. That fact cannot

be denied. Any amount of patriotism, any amount of support that may be given to democratic institutions, cannot obviate the fact that we are not alive to a sense of cleanliness, to a sense of sanitary conditions as we ought to be. (*Rao Bahadur K. A. Krishna Aiyangar* : *Hear, hear.*) We hear complaints from many parts of the country that they do not want municipalities. I know, in Quilon, there is a section among the people, certain communities, who do not want scavenging. They object to it. They do not mind paying the fees; but they have serious objection to scavenging.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is my friend aware of the recent pronouncement by a town-planning expert in China that scavenging was objectionable as it was responsible for the conversion of very fertile and productive soil into very unproductive soil?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Whatever may be the opinion of that expert, I cannot, with equanimity, think of such a state of affairs in a crowded town or city. However beneficial that may be, in other respects, whatever may be the opinion of experts, I cannot with equanimity think of the condition of a town without scavenging. My view may not be the view of an expert; but it is a human view.

Sir, the question of finance is a very important question. That cannot be denied. That has to be conceded. I am prepared to concede that the town-planning scheme will involve a good deal of expenditure. Government have not—I do not know the reasons-taken us into their confidence and given us an idea of the expenditure involved. They have not given us even an approximate idea of it, even in the case of Trivandrum. If what I think is right, it is sure to involve heavy expenditure, so that, considering the present financial stringency, it is not likely that even in the town of Trivandrum any town-planning scheme would be introduced in the near future. After all, Government may not seriously think of introducing any town-planning scheme here in the near future. In that case, the mere appointment of a town-planning expert on a huge salary, merely to pander to the tastes of a few individuals, is not going to serve any purpose. If really nothing is to come out of this measure, there is no purpose in merely adding it on to the Statue Book and keeping it as an ornament there. In spite of the fact that we agree with the principle of the Bill, and in spite of the fact that we want the scheme to be introduced as early as possible in every town, if Government are going to leave the matter there after merely appointing a town-planning expert, it is not a matter which we can appreciate; and the Government cannot count upon our support.

Sir, some of my friends seem to be under the impression that all the towns in the country belong to the people living in the particular localities, and that all the money spent for the improvement of towns is intended to pander to the tastes of the people who live in towns. I

[Mr. K. Kunjukrishna Pillai.]

protest against that attitude on the part of anybody. Sir, this is a matter which is beyond small constituencies or such small units. I do not think it is possible for any Government, or for that matter any corporate association, to deal with any policy intended for the common good of the people in such a parochial and narrow spirit. If there are bodies or people who think like that, it is the duty of the members of this House, to dispel them of such illusions and to train them to think that it is *their* duty and a paramount necessity for *them* to make sacrifices for the general benefit of the country as a whole. "All the money that is being spent in the improvement of towns is intended for the benefit of the people who live there: therefore, do not spend any money for the improvement of towns: bring everything to *my* constituency, to *my* village, the corner of the country where *I* live; improve the roads in *my* native place." Sir, with all the vehemence I can command, I protest against such an attitude being taken by people. Such an attitude is ruinous to the whole corporate life in the State. It is ruinous to the political future of the country. The people of the country should have a wide vision. We should rise above such narrow outlook. If we admit for a moment that we cannot do without towns, that we cannot for ever live in these seperate local units without towns being developed, then I think it is the duty of every one of us, whether we happen to live in towns or not, to see that the towns in the country are developed and are kept in a neat and sanitary condition, so long as we realise that, under the present-day civilisation, there is no possibility of our escaping from towns growing in importance and in number. Whatever be the means adopted, the towns have to be kept in a neat and sanitary condition. It is to the benefit not only of the people who live in towns but also for the benefit of the country as a whole. I think that is the attitude that should be taken by the people.

Sir, this scheme is not going to benefit the people materially if we leave it merely to the Government and to their Statute Book. I am sorry to say that there are in our country little bodies who have not yet begun to understand the implications of such beneficial schemes. They seem to lack long vision on these matters. If people are not capable of doing that, it is the duty of the Government to teach them and to make them understand things. When municipalities were first introduced in Travancore, there was a hue and cry against the reform. There are still uncivilised parts of the country where the people cry down the Municipalities because they have to pay a small tax. People send up memorials for the abolition of the municipalities. In this country, unfortunately, we have memorials for anything and everything. These memorials have to be discouraged. We have to work against this attitude of the people even at the cost of popularity. We have to tell them the truth some time or other; the earlier the better. I think this is a very pernicious, poisonous kind of influence. I think it is highly necessary.........

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*). പ്രാദേശികാവശ്യങ്ങളെ ഉപേക്ഷിച്ചു പട്ടണത്തിലെ ആവശ്യങ്ങൾ നടക്കണമെന്നാണോ മെമ്പറുടെ അഭിപ്രായം?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): അങ്ങിനെയൊന്നും ഞാൻ പറഞ്ഞില്ല. ഞാൻ പറഞ്ഞതു മനസ്സിലാക്കിയിരുന്നാൽ അങ്ങിനെ ധരിക്കാനും ഇടയില്ല.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): എനിക്കു മനസ്സിലായതു, പട്ടണത്തിലേക്കു പണം ചിലവാക്കുന്നതിൽ മററുള്ളവർ അസൂയപ്പെടാൻ പാടില്ല; ഈ അസൂയ ഉൾനാട്ടിലുള്ളവർക്കുണ്ടെന്നു തോന്നുന്നുണ്ട്. അതു ശരിയായ ഒന്നല്ലാ എന്നാണു.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): ഞാൻ പറഞ്ഞതിൻെറ ചുരുക്കമിതാണ്. പ്രാദേശികാവശ്യങ്ങൾ എന്നു പറയുന്നതു മുഴുവൻ തീർന്നു കഴിഞ്ഞിട്ടേ പൊതുവായ ആവശ്യങ്ങൾക്കായി ഒരു കാശുപോലും ചിലവാക്കാൻ പാടൊള്ളൂ എന്നു പറയുന്നതു അബദ്ധമാണ്. പ്രാദേശികാവശ്യങ്ങൾ ഉണ്ടായിരിക്കും; അവയെ വേണ്ടപോലെ സംരക്ഷിക്കേണ്ട കടമ ഗവൺമെൻറിനുണ്ട്; എന്നാൽ അതോടുകൂടി രാജ്യത്തിൻെറ പൊതുവായ കാര്യങ്ങൾ കൂടി നോക്കേണ്ടതത്യാവശ്യമാണ്.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): പ്രാദേശികാവശ്യങ്ങൾക്കു ചിലവിടുന്ന സംഖ്യയ്ക്കനുസരിച്ചു പട്ടണങ്ങളുടെ ആവശ്യത്തിനു ചിലവിടണമെന്നു പറയുന്നതിൽ ദോഷമുണ്ടോ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): ഞാൻ പ്രാദേശികാവശ്യങ്ങളുടേയും ടൌൺ ആവശ്യങ്ങളുടേയും വക്കാലത്തു പിടിച്ചു സംസാരിക്കയില്ല. പ്രാദേശികാവശ്യങ്ങൾക്കായി ചിലവു ചെയ്യുന്ന തുക എന്തു തന്നെയായിരുന്നാലും പട്ടണത്തിലെ ആവശ്യങ്ങൾ ഒഴിച്ചുകൂടാൻ നിവൃത്തിയില്ലാത്തതാണെന്നു കണ്ടാൽ അവയെ ഗവൺമെൻറു പ്രവൃത്തി പദ്ധതിയിൽ കൊണ്ടു വരുന്നതിനു ആവശ്യപ്പെടണമെന്നു മററെല്ലാവർക്കും തോന്നാവുന്ന അഭിപ്രായം പുറപ്പെടുവിക്കയാണ് ഞാൻ ചെയ്യുന്നതു്. പ്രാദേശികാവശ്യങ്ങളെ തീരെ ഉപേക്ഷിക്കണമെന്നൊന്നും തന്നെ ഞാൻ പറഞ്ഞ അഭിപ്രായങ്ങളിൽ നിന്നും വരുന്നില്ല.

[Mr. K. Kunjukrishna Pillai.]

One word more, Sir, and I finish. This measure is very necessary; and, as Mr. Thanu Pillai has suggested, it must be put into operation as early as possible. In the Statement of Objects and Reasons it has been stated that, if the operation of this measure is delayed, it is very likely that the cost would be much more, that it would become increasingly difficult to oust vested interests or to dislocate buildings, and that, even though the Government may be prepared to pay compensation, in certain cases, in certain circumstances, religious and other objections may be raised against the acquisition of particular sites and buildings for purposes of the town-planning scheme. Therefore, the good that will be coming out of this Bill is centred round the rapidity with which the Government take action on it. If the Government put it as a mere ornament on the Statute Book, it would be of little use to the people. It will be no good if they simply make a show that they also have a town-planning scheme and a town-planning expert. I support the principle of this Bill earnestly believing that prompt and effective measures would be brought into operation as early as possible.

MR. K. I. KOCHEEPPAN MAPPILA (*Nominated*): സർ, ടൌണിലെ കാൎയ്യങ്ങൾക്കു വളരെ അധികം പ്രാധാന്യം ഗവൺമെൻറു നൽകുന്നുണ്ടെങ്കിലും ഗ്രാമങ്ങളേയും ഗ്രാമീണന്മാരേയും സംബന്ധിച്ചെടത്തോളമുള്ള കാൎയ്യങ്ങൾ വളരെ അപ്രധാനമായിട്ടേ ഗവൺമെൻറു വിചാരിക്കുന്നൊള്ളു എന്നുള്ള ഒരു പരാതിയും മുറവിളിയും തിരുവിതാംകൂറിൽ വളരെ നാളായി ഉള്ളതാണു്. അതിൽ വളരെ അൎത്ഥമുണ്ടെന്നു എന്നെപ്പോലെ അനേക ലക്ഷമാളുകൾ വിശ്വസിക്കുന്നുണ്ടു് എന്നാണു് ഞാൻ വിചാരിക്കുന്നതു്. അതിനാൽ ഗ്രാമങ്ങളെ സംഘടിപ്പിച്ചു പരിഷ്കരിക്കുന്നതിനുള്ള വ്യാപ്തികൂടി ഈ ബില്ലിൽ ഉണ്ടായിരിക്കണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഇതു സംബന്ധിച്ചു മി: ഈ. വി. കൃഷ്ണപിള്ള പുറപ്പെടുവിച്ച അഭിപ്രായത്തോടു ഞാൻ പൂൎണ്ണമായി യോജിച്ചു കൊള്ളുന്നു.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സർ, ലാമെമ്പർ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള നഗര രൂപീകരണ ബില്ലിനെപ്പററി ഒന്നും തന്നെ സംസാരിക്കേണ്ട എന്നു ഞാൻ വിചാരിച്ചിരുന്ന അവസരത്തിലാണു് ഈ ബില്ലിന്റെ ഒരു മലയാള തൎജ്ജിമ എനിക്കു കിട്ടിയതു്. അതിന്റെ ഉദ്ദേശ കാരണവിവരം വായിച്ചു നോക്കിയപ്പോൾ എനിക്കൊരഭിപ്രായം തോന്നി. ഇവിടെയുള്ള ടൌണുകളിൽ ഞാൻ സഞ്ചരിക്കുന്ന പല അവസരങ്ങളിലും അവയെ ഒന്നു പരിഷ്കരിക്കേണ്ടതാണെന്നു എനിക്കു തോന്നുകയും ആ അഭിപ്രായം എന്റെ കൂടെ ഉണ്ടായിരുന്ന സ്നേഹിതന്മാരോടു പറയുകയും ചെയ്തിട്ടുണ്ടു്. ഞാൻ അങ്ങിനെ

വിചാരിച്ചുകൊണ്ടിരുന്ന അവസരത്തിലാണ് ഈ ബിൽ ഇവിടെ അവതരിപ്പിച്ചത്. ബില്ലിലെ മൂലതത്വം ഇന്നതാണെന്ന പൂൎണ്ണമായി മനസ്സിലാക്കാൻ എനിക്ക സാധിച്ചിട്ടില്ലെങ്കിലും ടൌണുകളെ പരിഷ്കരിക്കേണ്ട ആവശ്യമുണ്ടെന്നുള്ള ഭാഗം ഞാൻ മനസ്സിലാക്കി. ഈ തിരുവനന്തപുരം ടൌണിനെ നോക്കുകയാണെങ്കിൽ രാത്രിയിൽ സഞ്ചരിക്കുന്നവർ വിളക്ക കാലിൽ ചെന്ന മുട്ടുക എന്നുള്ളതുണ്ടാവുകയില്ല. കുറെ കഷ്ടപ്പാട ഈ ടൌണിന കുറഞ്ഞിട്ടുണ്ട്. മററുള്ള സ്ഥലങ്ങളിൽ ടൌണിന്റെ ലക്ഷണമായി കാണുന്നതു വിളക്ക കാൽ മാത്രമാണ്. മുനിസിപ്പാലിററി എന്ന പേരുണ്ടെങ്കിലും ടൌണിന്റെ പല ഭാഗങ്ങളിലും മുനിസിപ്പാലിററിയുടെ ദൃഷ്ടി എത്താത്ത സ്ഥലങ്ങൾ ധാരാളമുണ്ട്. മുനിസിപ്പാലിററി നികുതി കൊടുക്ക എന്നുള്ളതല്ലാതെ അതിൽ നിന്നും യാതൊരു സൌകൎയ്യവും ലഭിക്കാത്ത സ്ഥലങ്ങൾ കോട്ടയം ടൌണിൽതന്നെ ധാരാളമുണ്ട്. അങ്ങിനെയുള്ള ടൌണുകളേയും പരിഷ്കരിച്ച ജനങ്ങൾക്ക ഇന്നത്തെക്കാൾ കൂടുതൽ സൌകൎയ്യപ്രദമായ നിലയിൽ ആക്കിത്തീൎക്കുന്നതിന ഇതിലെ വകുപ്പുകൾ പൎയ്യാപ്തമായിത്തീരുമെന്ന ഞാൻ വിചാരിക്കുന്നു. അതിനാൽ ഞാൻ ഈ ബില്ലിന്റെ തത്വത്തോട യോജിക്കുന്നു.

MR. O. M. THOMAS (*Kottayam*): I think I must strike a note of qualified dissent to the chorus of approval of the Bill, to which we have listened. It is one thing to say that towns have an abiding place in national life, and it is altogether a different thing to say that the national purse must be placed at the disposal of these towns. I for one cannot share in the metropolitan enthusiasm of my esteemed friend who sits on my left, for the simple reason that I am somewhat of a provincial nature and am a villager. And, despite the vehemence of the honourable member who represents Quilon, I must plead guilty to the possession of a very parochial frame of mind.

Sir, speaking from experience, when I think of the proposal to hand over our towns to the tender mercies of the town-planning expert, I must say, with all earnestness I can command, that I am very nervous of our future. Years ago, when the Government of Travancore constituted a separate department for the organisation and development of our industries, the patriotic section of the people were led to believe that a new heaven and a new earth would be made out of this land of charity. Years further back, when the Department of Agriculture was organised and when Dr. Kunjen Pillai was placed at the head of that Department, with all the glamour of his foreign degrees and experience, although I was young, I thought that better times had dawned for agriculture in the land. Years ago, when the Department for Co-operative Credit Societies was organised and placed in the charge, not

[Mr. O. M. Thomas.]

of the present Head of the Department, but of his illustrious predecessor, whoever he might be *(Laughter)*, we were under the impression that a glorious time awaited us and that...........

MR. K. KUNJUKRISHNA PILLAI *(Quilon)*: Is it the opinion of the member that all predecessors are illustrious?

MR. O. M. THOMAS *(Kottayam)*: Certainly not: It is only with regard to this Department that I said that; and the question does not arise.

Sir, with this experience at the back of my mind I find it extremely difficult to hand over our towns to an expert like any one in the category of the experts I have been mentioning. The immediate effect of the Bill when it is passed into law would be that a Department would be created under the advice of a town-planning expert.

MR. A. THANU PILLAI *(Trivandrum)*: May I know from my friend whether he has any misgivings about the town-planning expert, that he may also belong to the type of experts that he has been describing; and, if so, whether he has anything to say against the proposed measure if we can get...........

MR. O. M. THOMAS *(Kottayam)*: I have not finished my argument. Let me finish, and then my friend may put me questions. If my friend would be patient enough he will have my argument in support of my position.

I do not object to the regime of an expert, although there is a tendency in modern times to be somewhat sceptical of the beneficial effects of expert administration. My point is this. Every progressive Government is really controlled not by experts but by politicians. And, though in the view of Aristotle, Government and administration are the most difficult of all arts, those difficult arts have to be guided and controlled not by experts but by politicians.

Sir, I am not opposed to the guidance by experts. But I cited experience to show that much of the so-called guidance by experts has not been to our benefit at all in the past. For that, I blame the Government more than the experts. I suppose, if we are to have a town-planning expert, and it is clearly seen that experts are not very cheap at least fifteen hundred rupees will have to be paid for a tolerably well-qualified town-planning expert. Now, suppose he draws up an elaborate plan which will make Trivandrum a perfectly beautiful garden city which will meet with the entire satisfaction and approval of the representative of Trivandrum who sits in this Council, and suppose Government turns down that proposal for want of funds that often happens in the case of the Government of Travancore-what is the return that we get out of this enormous outlay on the expert, not to speak of the Department Schemes, however beneficial, are likely to be shelved indefinitely. That is what is to be seen of the Government of Travancore; and until there are some material alterations in the frame of mind which has characterised the Government of

Travancore all along, I think it is necessary to be very cautious of new schemes of this kind which the Honourable the Deputy President said must necessarily require a big financial outlay. In these circumstances, Sir, I am not very enthusiastic of the principle of the Bill. Towns have got to be improved, there is no doubt about that. But are towns likely to be improved under the Town-planning Bill? Money expended is money wasted—that has been the result in the past and there is no reason to predict a different future, future different from the past that we have had already. Sir, the parochial frame of mind has been objected to; and I think I must endorse the remarks, the very weighty remarks, made by the Deputy President, namely, that though not now, at least at a very near future, some equitable proportion must be fixed between the expenses of local and central amenities. Trivandrum is certainly having the lion's share of the general revenues of the State In order to gratify my esteemed friend who represents Quilon, I might say that I do not plead for the improvement of villages to the total excluion of the improvement of towns. What I say is that town-planning and rural reconstruction must be so equitably spread over a number of years, so spread that it will be possible for the Government and for the rural and municipal public to realise that nobody's claims have been overlooked or neglected. Sir, if within a period of six years, more money has been devoted for municipal developments, there must be a corresponding period of six years within which a like share will have to be devoted to rural reconstruction. However beneficial may be the schemes which the best town-planning expert might devise, as far as the human eye could see at present, the future of Travancore is bound up with the future of the tillers of the soil. You might have ten Directors for the Department of Industries. Still, there is not much industrial awakening likely to arise in the near future or for another hundred years; and I might say that the figure that I cited is from the opinion of one of the Judges who adorned the High Court of Travancore that for yet another hundred years Travancore must remain a rural State, must be an agricultural State.

MR. A. THANU PILLAI (*Trivandrum*): May I know the name of that Judge?

MR. O. M. THOMAS (*Kottayam*): Personalities will be avoided as far as possible.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether it was recorded in any of the judgments?

MR. O. M. THOMAS (*Kottayam*): Certainly not. It was expressed in a public speech. It is not my duty to name the individual, for the Law Member did not mention the name of the town-planning expert.

MR. A. THANU PILLAI (*Trivandrum*): I merely wanted to see how far that opinion is valuable in this instance?

PRESIDENT: But he has said that he is not prepared to give the name.

MR. O. M. THOMAS (*Kottayam*) : This much I can assure him that it would carry some weight in Mr. Thanu Pillai's opinion. For a century to come, Sir, Travancore must remain a rural State, and the rural population will certainly have continuous and imperative claims on the national expenditure for this period. Are we to spend money from the national purse in such a way as to overlook the growing needs of the ryots and to promote the amenities of the small percentage of population who either reside in or resort to municipal areas? That is a question that will have to be gone into by a systemised Government; and I think before that question is solved, it is unsafe to embark on such a financial expenditure as this. The Law member protested against the present haphazard development of our towns and municipalities. Under the existing Municipal Regulation you cannot legitimately say that our municipalities will develop in an entirely haphazard manner. There are certain provisions in that Regulation with regard to the development of municipal areas, and for the time being these provisions will suffice for the development of municipalities other than Trivandrum. When the Law member moved for the introduction of this Bill, I put him a question whether any municipality other than the Trivandrum municipality recommended the introduction of a Bill of this kind. He said '*No*'. I believe when the Trivandrum Municipality referred to him, on a difficult question like this, it would have been in the public interest had he referred the Bill at least to the major municipalities for their opinion on the matter. From Mr. P. S. Mahomed's observations, it seems—I speak subject to correction—that such a course was not adopted by the Honourable the Law member. I believe, at the instance of the Trivandrum Municipality he is trying to rush through this Bill in this House; and I think it is in the interests of the large body of the rural population that I represent to say that we must proceed very cautiously with regard to this Bill. It will certainly eat up a considerable amount of the hard-earned money of the Travancore public. I am not opposed to town-planning; but I am opposed to the tactics resorted to by the Law Member, and I say that, for the time being at any rate, the consideration of this Bill must be kept pending and that the major Municipalities at any rate, must be given a voice in this matter before we proceed to legislate on this subject.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*) : സർ, തിരുവിതാംകൂറിലെ പട്ടണങ്ങളിൽ കൂടി സഞ്ചരിക്കുന്ന ഏതൊരുത്തനും ടൌൺ പ്ലാനിങ്ങ് സ്കീമിന്റെ ആവശ്യം എത്രമാത്രം ഉണ്ടായിരിക്കുമെന്നു ബോദ്ധ്യപ്പെടുന്നതാണ്. ഈ നിയമം മുനിസിപ്പാലിററികളെ മാത്രം ബാധിക്കത്തക്ക നിലയിലാണ് രൂപീകരിച്ചിരിക്കുന്നതെന്നു തോന്നുന്നു. എന്നാൽ ഈ നിയമം അനുസരിച്ചു നിയമിക്കുന്ന എക്സ്പെർട്ടിന്റെ ഉപയോഗം വില്ലേജുകൾക്കുകൂടി വരത്തക്ക നിലയിൽ വേണ്ട വ്യവസ്ഥകൾ ചെയ്തു നടപ്പിൽ വരുത്തണമെന്നാണ് എന്റെ അഭിപ്രായം. മുനി

സിപ്പാലിററിയിലും പട്ടണങ്ങളിലും എല്ലാവരും സുഖമായി തന്നെ താമസിക്കുന്നു എന്നു ഞാൻ പറയുന്നില്ല. എന്നാൽ മുനിസിപ്പാലിററിയില്ലാത്ത സ്ഥലങ്ങളിലെ സ്ഥിതി ഇതിലും കഷ്ടതരമാണ്. മുനിസിപ്പാലിററിയുള്ള സ്ഥലങ്ങളിൽ കെട്ടിടം പണിയിക്കുന്നതിനു മുനിസിപ്പാലിററി അനുവാദം കൊടുത്താലെ നിവൃത്തിയൊള്ളു. മുനിസിപ്പാലിററിയില്ലാത്ത സ്ഥലങ്ങളിൽ താമസത്തിനു യോഗ്യമല്ലാത്ത വിധത്തിൽ കാററും വെളിച്ചവും കടക്കുന്നതിനു നിവൃത്തിയില്ലാതെ കെട്ടിടങ്ങൾ കെട്ടുന്നുണ്ട്. ഒരു കെട്ടിടം തീപിടിച്ചാൽ അടുത്ത കെട്ടിടവും തീ പിടിക്കത്തക്ക നിലയിലും കെട്ടിടം ഉരുണ്ടുവീണ് ആളപകടം വരത്തക്ക നിലയിലുമാണ് ഗ്രാമങ്ങളിൽ കെട്ടിടങ്ങൾ കെട്ടിക്കാണുന്നത്. ഇങ്ങനെയുള്ള സ്ഥലങ്ങളിൽകൂടി എക്സ്പെർട്ടിൻെറ ഉപദേശങ്ങൾ ഉപയോഗപ്പെടുത്തിയാൽ രാജ്യം ഒട്ടുക്കു ഈ സ്കീം പ്രയോജനകരമായി തീർക്കുന്നതിനു സാധിക്കും. ഈ നിയമത്താൽ നിയമിക്കപ്പെടാൻ പോകുന്ന എക്സ്പെർട്ടിനു അനവധി പണം ശമ്പളമായിട്ടു കൊടുക്കേണ്ടിവരും. ആ സ്ഥിതിക്കുംഇപ്പാഴത്തെ വില്ലേജുകളുടെ സ്ഥിതിക്കും ഈ നിയമം വില്ലേജുകൾക്കുംകൂടി ഉപയോഗപ്പെടത്തക്ക വിധത്തിൽ നടപ്പാക്കണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ ഈ ബില്ലിൻെറ മൂലതത്വത്തോടു യോജിച്ചുകൊള്ളുന്നു.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Sir, it was not my object to speak anything on this Bill, especially because I had my own misgivings with regard to the programme fixed up for the day's business. The third item in the Agenda is the consideration of the Jenmi-Kutiyan Amendment Bill. That Bill, I understand, is more than two years old. It had its first reading a couple of years back, and it was referred to a Select Committee one year after its introduction. Nearly, or precisely, one year has elapsed since the Select Committee Report was received. Yet we find only the third place allotted to that Bill in the day's Agenda. The Town-planning Bill does not appear to me to be a more urgent piece of legislation than the Jenmi-Kutiyan Amendment Bill. And I thought that the Jenmi-Kutiyan Amendment Bill would find the first place in the day's Agenda. But contrary to our expectations, that finds only the last place; and therefore I thought if myself and my friends did not speak either in support of or in opposition to the Town-planning Bill, the business would soon be over, and an all-important matter would be soon taken up by this House for discussion.

But it would appear that the Law Member made certain wrong statements. The statement made by him has led to some misunderstandings in the case of some members; and therefore each and every one of us stands up and speaks something about this Bill. If the Law

[Mr. S. Krishna Pillai.]

Member had analysed the Bill and pointed out to the House that the only important provision contained in the Bill is that contained in Section 5, I suppose, no member in this House, official or non-official, would have any objection in allowing the Bill to be introduced. Section 5 relates to the power that is to be conferred upon the Government in appointing a Town-planning Expert and the staff to be employed by him. It authorises Government to expend the whole money necessary for the appointment of this individual and for the upkeep of a staff. So far as the non-official members of this House are concerned, I think the object of the Bill is simply to empower Government to creat a new appointment. My friend Mr. Krishna Aiyangar said that the Government must contribute freely to the new scheme adopted by this Bill. I have absolutely no objection, and I fully agree with him in suggesting that the Government must be in a position or must be prepared to contribute as much as possible. But we are putting the cart before the horse. What Section 5 of the Bill says is that "Our Government may appoint a person to be Director of Town-planning for Travancore and may assign to him from time to time such establishment as they think fit."; so that before anything in this Bill is done, before the Municipalities, or for that matter, any person interested in this scheme is called upon to do anything, the Government will appoint a Town-planning Expert and will meet the expenses for the appointment, maintenance and upkeep of the staff.

That being done, Section 7 says that the people within the Municipality, the Municipal Council, or the people living in any particular area within the Municipality, shall propose that certain areas within the Municipality or areas adjoining the Municipal limits shall be brought under the town-planning operation and that they shall consult the Town-planning Expert, so that after the appointment of the Town-planning Expert he will be, as my friend Mr. Thomas pointed out, like some of the Departmental heads we have at present, comfortably sitting in their office chairs with a staff and a lot of peons, probably, to help them, but without any proposals being received from the Municipalities. They can continue like that under the Regulation. That is the next important power that is to be vested on the Town-planning Expert under this Regulation.

But Section 10 gives us a slight or small power for disturbing the tranquility of this Town-planning Expert and his staff. This is what the Bill says —

> "Notwithstanding anything contained in Section 7 to 9, Our Government may, in respect of any Municipality, after making such enquiry as they may deem necessary, by notification in our Government Gazette, require the Council to prepare, publish and submit for their sanction a draft scheme as respects any land in regard to which a town-planning scheme may be made".

When the Government finds that the Municipalities are not willing to come forward or the persons living in any particular municipal area are not willing to come forward, either because they have no faith

in the working of this scheme, or because they are not in possession of funds, the Regulation says that the Government may slowly move and call upon the Council to do certain acts. The Government will have power to compel Municipal Councils to do some sort of work for this Town-planning Expert. A reading of these three Sections would have dispelled some of the doubts expressed by some of my friends who spoke before me. Mr. Thanu Pillai said that immediately this regulation is passed it must be put into force, the Regulation must be brought into effect and that some towns must immediately be brought under the town-planning scheme.

Under Section 7, the Government can compel the Municipalities to come under the town-planning scheme. If therefore my friend thinks that it is a Bill that is to be soon brought into force and that the Trivandrum Town or the Quilon Town, or, as my friend Mr. P. S. Mahomed said, the Alleppey Town, must be reformed, I believe it will be within the power of everyone of those of us who represent these areas to induce his Municipality or any portion of the Municipality, to come forward with a proposal asking Government that that part of the Municipality, or, for that matter, the whole Municipality be brought under the town-planning scheme. It does not require the help of the Government to start with. The help of the Government is required only after this proposal is received; and I believe after maintaining this Town-planning Expert who, I understand, is likely to be a very expensive individual. Government will not certainly be unwilling to sanction any proposal. Therefore if Section 7 was carefully read, I am certain that my friend would have understood that there was absolutely no objection in bringing into force this enactment. If the municipalities do not avail themselves of this opportunity, the Government might force them to do it, and as I said, this Town-planning Expert, being a very troublesome man, probably would induce Government to put into force Section 10. If the local people fail to do this, I suppose it is not in the power of anybody to ask this Town-planning Expert to do anything by which we shall be benefited.

As regards the parochial instinct, and the expenses relating to this town-planning system, Chapter 6, Sections 29 and 30, when carefully read, enable us to understand what exactly is the position of the Government in regard to the expenses that are to be incurred under this town-planning system. Section 29 says :—

> "The receipts of a Municipal Council under this Regulation or any town planning scheme made thereunder shall form a separate town-planning fund and all expenditure under this Regulation or any town-planning scheme thereunder shall be defrayed out of such fund. No portion of the fund shall, except with the sanction of our Government, be expended for purposes not provided for by this Regulation ;"

So much so under Section 29, Government have absolutely nothing to do with the town-planning fund. The revenue of the State shall not in any case be responsible for the town-planning scheme unless it be by operation of Section 31 which says :—

> "Our Government may, subject to such terms and conditions as may be prescribed, give loans or grants to any Municipal Council towards its town-planning fund."

[Mr. S. Krishna Pillai.]

It is only under that Section that the Government will have to be called upon to contribute towards the town-planning fund; and I suppose under Section 31 Government cannot be compelled to do anything, for it says:—

"The Government *may* give loans or grants."

These loans and grants will, I suppose, be like those that the Government are competent to grant under the Municipal Regulation or the Agricultural Loans' Regulation or the Industrial Loans' Regulation or other Regulations. They are simply loans, or they may take the form of grants which under the Municipal Regulation, I understand, they are empowered to grant for the construction of roads, bridges etc., which the Municipalities are unable or unwilling to undertake. The doubts expressed in this House, I believe, must be doubts which must be cleared after reading these Sections. Beyond these four Sections I do not find anything in this Bill which calls for any comment, except Section 24 which says that those who are benefited by the town-planning scheme shall contribute and that the rate at which this contribution is to be made shall be determined by the Board or the Government when appeals are preferred. If, therefore, this Bill is to be introduced on these lines I suppose that the only amendment that I have to make in regard to this Bill is that Section 5, which empowers Government to appoint a Town-planning Expert, may be made the last Section, that is Section 54 of the Bill. Our Government might appoint a Town-planning Expert after a reasonable number of proposals are received or after the Government makes up their mind to apply or extend the provisions of Section 10 of the Regulation to Municipal areas. That was my own impression. As it is, the Bill will only be a measure intended for the purpose of authorising Government to create a new appointment and incur some additional expenditure.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know how can that be prevented if this Section is put as the last Section?

MR. S. KRISHNA PILLAI (*Karunagapalli*): We must, in the first place, try to see that all the other Sections of the Bill are brought into force before appointing a man first and asking him to sit quiet till the municipalities or persons in particular areas send up their proposals. That is what I mean by saying that it may be put in as the last Section in the Bill. Precisely, that is the last thing that we want.

Anyhow, considering other Bills as the Jenmi-Kutiyan Bill that is to come up for consideration to-day, I suppose we all agree that this Bill must get only a second or a third place in the day's Agenda. If this Bill also, after being referred to the Select Committee, is to meet the same fate as the Jenmi-Kutiyan Bill, I agree that it is better that we do not push on with this Bill. With these few words, I support the general principle of the Bill.

MR. P. S. MAHOMED (*Nominated*) : ടൌണിൽ ഏതേതു സ്ഥലങ്ങളാണ് ഈ സ്കീമനുസരിച്ചു ശരിപ്പെടുത്തേണ്ടതെന്നു നോക്കാൻ എക്സ്പെർട്ടിന്റെ ഉപദേശം വേണ്ടിവരുമെന്നറിയാമോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : മുനിസിപ്പാലിററിക്കോ അല്ലെങ്കിൽ മുനിസിപ്പാലിററിക്കകത്തുൾപ്പെട്ട ഏതെങ്കിലും സ്ഥലത്തു താമസിക്കുന്ന ആളുകൾക്കോ ഏതെങ്കിലും ഒരു സ്ഥലം ടൌൺപ്ലാനിങ്ങ് സ്കീമനുസരിച്ചു പരിഷ്കരിക്കണമെന്നു തീരുമാനിക്കാൻ കഴിയും. അതിലേക്കു ഒരു എക്സ്പെർട്ടിന്റെ സമ്മതമൊന്നും ആവശ്യമില്ല. അങ്ങിനെ തീരുമാനിച്ചുകഴിഞ്ഞാൽ അതനുസരിച്ചു ചെയ്യുന്നതിനു മാത്രമെ എക്സ്പെർട്ടിന്റെ ആവശ്യമൊള്ളു. ഒരു സ്ഥലം പരിഷ്കരിക്കണൊ വേണ്ടയൊ എന്നു തീർച്ചപ്പെടുത്തേണ്ടതു പണം ചിലവാക്കാൻ ശേഷിയുള്ളവരാണ്.

MR. P. S. MAHOMED (*Nominated*): അങ്ങിനെ തീർച്ചപ്പെടുത്തുന്നതിനുള്ള അറിവു ഉണ്ടാക്കാൻ എക്സ്പെർട്ടിന്റെ ആവശ്യമില്ലേ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : ആ അറിവു കൂടാതെതന്നെ ടൌൺപ്ലാനിങ്ങ ആവശ്യമാണെന്നു മി. മഹമ്മദ് തന്നെ പറഞ്ഞു കഴിഞ്ഞു. പണം ചിലവാക്കുന്നതിനു ബാദ്ധ്യസ്ഥരായവർ പട്ടണപരിഷ്കാരം ആവശ്യമാണെന്നു തീർച്ചപ്പെടുത്തി കഴിഞ്ഞാൽ പിന്നീടു അതനുസരിച്ചു ജോലി ചെയ്യുന്നതിനു ടൌൺപ്ലാനിങ്ങ്എക്സ്പെർട്ടിനെ വച്ചാൽമതി. തിരുവനന്തപുരം ടൌണിന്റെ ഒരു മൂലയിൽ ൧൦ ഏക്കർ സ്ഥലത്തു ടൌൺപ്ലാനിങ്ങ് നടത്തണമെന്നു നിശ്ചയിക്കുന്നതിന് ആറു മാസം മുമ്പായിട്ടു ആയിരം രൂപാ ശമ്പളം കൊടുത്തു പുറത്തു നിന്നും—ഇവിടെ നിന്നും ആക്കിയാൽ പോരായിരിക്കും—ഒരു എക്സ്പെർട്ടിനേയും അദ്ദേഹത്തിനു വേണ്ട സ്റ്റാഫിനേയും ഏർപ്പെടുത്തിവച്ചു കൊണ്ടു മാത്രമെ പാടുള്ളു എന്നു പറയുന്നതു അത്ഥശൂന്യമാണ്.

PRESIDENT : The House will now rise to meet again at 2-45 P. M.

The Council rose for lunch at 2 P. M. and re-assembled at 2-45 P.M.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, in supporting the main provisions of the Bill, I wish to make one or two observations about the opinions that have been expressed by certain members with regard to certain amendments that should be made in the Bill. One of the suggestions made here was that the provisions of the Bill must be mandatory and that every Municipal Council must be compelled to give effect to this town-planning scheme. As my friend Mr. Krishna Pillai pointed out, there is the provision which enables the municipality to draft a scheme and submit it to the Government. T is also a provision which enables the Government to ask the municip to draft a scheme and submit it to them. I think that the members who

[Mr. A. S. Damodaran Asan.]

suggested that there must be a provision which makes it compulsory upon all the municipalities to have a town-planning scheme mean that they want that the Government should in all cases insist upon the municipalities to give effect to the provisions of this Regulation.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Not that.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : I do not refer to him.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : I expressed that opinion and therefore I have got a personal explanation. I never suggested that Government should automatically force this Regulation into every municipality. The introduction of this should not be left to the sweet will and pleasure of the local units but should be decided by some authority who is competent to do it. That was the suggestion that I made.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : Sir, the learned Law Member was saying that one variation which he made in this Bill is that the introduction of the town-planning scheme is not left to the option of the municipalities in Madras while it is here. Mr. Thanu Pillai said that it should not be left to their option. What I say is that we would be going much farther than necessary or advisable if we enact a a legislation which would make it compulsory on the part of the Government to insist upon the Municipalities to resort to this town-planning scheme. I admit that the town-planning scheme is necessary in some of the Municipalities, and it will be better to introduce it in some others. But whether we should make it a condition precedent for the existence of the municipalities is a point that should be considered by this Council.

Another question that was raised in the course of the debate is whether the State Exchequer should contribute for this town-planning scheme and other needs of the municipality. The State has been contributing to municipalities and if one refers to the Budget, he will find provisions for grants to municipalities. The learned Deputy President suggested whether the State should not largely contribute towards the expenses of the municipalities. It is on this point that I differ. If the needs of the municipalities could not always be met from its income, there is nothing objectionable in the Government giving a grant to some of them. But whether the State Exchequer should largely contribute to the expenditure of municipalities is a point which should be considered by this House before giving its verdict. Sir, on that point I wish to know if large contributions made from the State Exchequer, will not detrimentally affect the allotment that should be made for the development of rural areas. Some of my friends here think that if reference is made to the needs of rural areas or of particular constituencies, the members are adopting a parochial attitude which should be condemned. Sir, about 90 per cent. of the people of this State live in villages, and only 10 per cent. inhabit in the municipal areas. A persistent cry is heard not only in this Council, not only in the Sri Mulam Popular Assembly but from various parts of the country that even the minor needs of the villages

are not properly attended to. Whenever we wish a small work to be executed or a school to be started, Government plead want of funds: and if in addition to the present economic stringency Government are going to make large contributions to municipalities, I think thousands of poor people in the villages will have to suffer very much. That is why I asked the question whether making large contributions to the municipalities will not detrimentally affect the benefits that are now conferred upon the poor villagers. What I wish to state is that it is the duty of each and every one of us to see to the needs of the country and advocate them. If any member fights shy of that, he will be betraying the constituency which he represents and the interests of the country which he is called upon to serve. I do not think that there is much weight in the opinion that the interests of the country as a whole is different from the interests of the villages that compose about 90 per cent. of the population of the State.

MR. A. THANU PILLAI (*Trivandrum*): Nor the towns?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I never say that. What I am saying is that the interests of the villagers should not be overlooked.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*); Will the member allow every one of us to have the right of thinking and forming opinions and will not try to impose his opinions and arrogate to himself all thought and patriotism?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Very well, I will be the first man to do it. That is why I do not quite agree with the member in his view that memorials need not be considered, that public opinion need not be considered and that requisitions made from various parts of the country need not be considered.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I think the member is purposaly misrepresenting what I have said.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not think I am misrepresenting him but I am only stating correctly his view.

PRESIDENT: As a matter of fact the correct statement he made was that we must be discriminate. He did not say that memorials need not be considered.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If we are going to consider the opinions that are expressed by others, it is the duty of almost every member of this Council to advocate the claims which are advanced by the inhabitants of the various parts of Travancore and not to say that the question of culverts, channels and all those things are of minor importance and that they are likely to stand in the way of matters which affect the country as a whole. Sir, the State Exchequer derives most of its revenue from the tax that is paid by the villagers. It was suggested that the development of the town is highly advantageous to the people who come and stay in the towns.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Is it Mr. Asan's contention that the provisions in the Village Panchayat Regulatien with regard to Government contribution is not generous enough?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I admit that there is ample provision in the Village Panchayat Regulation for granting sufficient funds for the carrying out of the functions of Village Panchayats. The functions of the Village Panchayats are limited. There are so many other items which should be carried on by the Government. And, probably, the learned Deputy President is also aware that though the Village Panchayat Regulation came into existence about seven years back, it has not been put into effect till now and that even now the Government intend only to carry out experiments in a few villages. So, even if there be a provision, even if we have a statute, that has not yet worked to the advantage of the population till now. What I was just suggesting is that if the town is inhabited by people who come from the villages, it is such people that contribute mostly to the funds of the municipalities, and it is in their interests that the municipalities are well governed and all the amenities given to them. The only question raised here is whether we should look first to the convenience of the people who pay or whether without paying sufficient attention to their needs we should spend more money or a larger proportion of the money for the development of municipalities.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Is it the opinion of the member that only after every provincial need has been satisfied and has reached a stage of satiety that other schemes should be embarked upon?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I do not say that. What I said was that in allotting a large proportion to the needs of the municipalities we must consider the claims of the persons who provide money to the State Exchequer.

RAO BAHADUR K. A. KRISHNA AIYNGAR (*Nominated, Deputy President*) : Is he not really misrepresenting me? I never said that a big share of the revenue of the State ought to be allotted with reference to particular schemes to be undertaken in future. I said that the town-planning system would require a large contribution from the central revenues of the State I have no objection if the member cuts it down.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I do not think what the Deputy President said was that it should be more than half, but only that there should be a large contribution from the State Exchequer. That is all what I have stated.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) ; Eight annas in the rupee, I said.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : With these few observations I support the general principle of the Bill.

MR. M. GOVINDAN (*Nominated*) : Sir, there has been only general agreement amongst the previous speakers regarding the support to be

given to the general principle of the Bill. Some apprehension was expressed as to whether a costly appointment is necessary and whether more money would be spent in towns from the general funds than in the villages and the necessities of the villages ignored. My own impression is that the whole of Travancore is more or less a town unlike British India where here and there, there are certain villages and towns and all the rest waste country. We have here one continuous village or rather town from one end of the country to the other. I come from a village which is as thickly populated as a town and there is very great necessity for introducing some town planning. But it does not happen to be a municipality. The fact is that we have got peculiar conditions in Travancore unlike conditions obtaining elsewhere and there is urgent need for some measure which will enable the people of Travancore to have sanitary conditions and to have amenities and conveniences of town life living as they do so near each other and living in conditions which require the amenities of town life. This is, Sir, the most thickly populated country in India, and the needs of the people have to be looked into. It is not correct to say that there is an interest for the country apart from that of the town and all that. I differ from Mr. Asan in thinking that there is any diversity of opinion at all. My own impression is that the appointment of an expert is very necessary straightway so that he may survey the conditions throughout Travancore, irrespective of town and country, and suggest the measures necessary for the convenience of the people of Travancore. The funds necessary are not to be confined to any particular place. In fact, the provisions of the Bill themselves show that the financial aspect of the thing has not been forgotten. There is provisions in the Bill itself regardirg the contribution from the locality where the betterment has taken place. It is not necessary to fix any ratio or proportion between mofussil and the towns with regard to the share that should come from the general funds and the share that should be contributed by the localities immediately concerned. My view is that the Government may be trusted to spend only as much as is necessary for the convenience of the locality immediately concerned. Of course, economy is all-important in these days of financial distress. But we should not stint so much as to make healthy living impossible. This is a great need of the time and we should be very short-sighted indeed if we are not spending as much as is necessary for healthy living in this small State of ours and discriminate between mofussil and town and make small differences. With these observations, I heartily support the general principles of the Bill.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Sir, I rise to support the principle of the Bill. My friend Mr. Krishna Pillai just now told the House that he was very anxious that the consideration of the Jenmi and Kutiyan Regulation Amendment Bill should be taken up without any further delay. As for the matter of that, most of us on this side of the House are as anxious as Mr. Krishna Pillai to see that that Bill is taken up for consideration without any further delay. But since

[Mr. N. K. Krishna Pillai.]

Mr. Krishna Pillai himself who complained at the outset of his speech that many members on this side of the House rose to speak and thus time was spent without the consideration of the Jenmi Kutiyan Amendment Bill being taken up as early as possible, and since he himself did not avoid speaking on the Bill now before the House, I think that I shall be justified in my brief say on this matter.

Now it is only in the fitness of things that the Government should do all that is possible for the advancement of the health, happiness and amenities of the people and the laying out on modern lines of a scheme of town-planning. That an expert officer should direct the whole thing is certainly a commendable idea; and the Trivandrum Municipality, in spite of the observations made with regard to the nature of the present work discharged by it (as disclosed by the speech of my friend Mr. Thanu Pillai, is certainly to be congratulated for having succeeded), in moving the Government to come forward with a Bill of this nature. The financial question involved in this scheme is certainly a very important one. But when once Government accept the principle of the Bill, my submission is that Government should not be scared by the financial implications involved in it. When once Government say that the conditions of local areas justify the introduction of this Bill in that area, and if the local body therein is not able to bear the financial burden, it is certainly up to the Government to go to the rescue of that local body and supply necessary funds. Towards the course of the discussion, an important side issue arose, *viz.*, parochial needs *versus* town needs. As for that, I perfectly agree with my friend Mr. Kunjukrishna Pillai in that it is certainly not desirable to over-emphasise parochial needs. But I have to remind Government in this connection that there is a growing feeling among the public that the Government are more solicitous in providing for the amenities of town life than in satisfying the needs of the rural population; and the public strongly feel that while fabulous sums are spent on such amenities as water supply, electric lights and all that, the vital needs of the rural population are not so much cared for, so that, my point is that the Government have certainly to devote more attention to the rural needs in these directions.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Who pay more tax ? The urban or the rural people?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Of course, there are various kinds of taxes. But if the criterion is land revenue, I must say that it is the rural population that pays more.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; Total tax per head ?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Of course, the municipality.

I am sure this is a very useful Bill and it also deals with several aspects of an efficient system of town-planning. Some are apparent on the face of it. I refer to Section 43 wherein large powers are con-

ferred on the responsible authorities, to convict those who are guilty of breaches. But there is no provision made for an appeal on such orders; and I believe such things can be cured in the Select Committee stage. Anyhow, I would welcome the introduction of the Bill; and with these words, I strongly support the general principles laid down in it.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): I also support the general principle of the Bill. I support it from the point of view of sanitation and public health. Viewing from that stand point, there arises no difference of opinion about contributions, about the share which a town and a rural area should get from the State revenues. It is generally in towns that diseases, especially contagious diseases, are frequent and they spread without any distinction. They do not stop within the four walls of the town. They extend to the country parts also and do havoc there. When the havoc is uncared for, the havoc becomes greater there. So, viewing the question from that point it is the bounden duty of the Government to compel town people to mend their ways and habitations. If they are not prepared to do that, what else could Government do for the benefit of the people in general? Government should look after the welfare of the subjects entrusted to their care. Government should by all means insist on them and even compel them, if necessary by legislation, and raise the people from the miserable condition in which they are now. Therefore, even a measure of compulsion would not be out of place, viewing from such a point of view.

Health is the greatest wealth that people can have. It is from slums in towns that diseases spread and thereby undermine the health of the country parts also. Is it not the duty of the Government to see that the towns are prevented from sending infection to the country parts also? It is the duty of Government to see that the town people do not get or bring any harm to the rest of the people also. So, this measure which helps the towns to plan their extensions and make their houses neat and healthy would be of great help to the people in general.

Another question that was raised here was about betterment contribution. I do not think that a small State like Travancore with 20 or 25 towns should have a full time or permanent town planning expert. It is enough if he is engaged for a stipulated period and as soon as his work is finished, he may be sent away. He should be asked to go to different towns and plan the developments that ought to be brought about in them; the directions in which the towns ought to be developed, the kind of buildings that are to be erected and the sanitary ways of doing scavenging work; when all these are over, his services might be dispensed with. What the members of the House fear is that the creation of a department with a permanent expert at its head is a costly white elephant which might be dispensed with. For a stipulated period, one expert might be employed and when his work is finished, he may be sent away and the working of the plan that he has suggested might be carried out by local bodies such as municipalities. The expert's

[Mr. K. Gopalakrishna Pillai].

business must be only to plan. The expert will do that business and when it is over, the work of carrying it out should be taken by the municipality or by the Government. Then it will not be a costly white elephant as some seem to think.

With regard to the suggestion by my friend Mr. Thanu Pillai as regards the starting of town planning from Trivandrum, I have one observation to make. It is better to begin from minor municipalities because it would be less costly. First of all, they are only developing towns. There will be only very little to be demolished. Only a few dwelling houses will have to be destroyed.

MR. M. GOVINDAN (*Nominated*): Does not the member think there is more need of town-planning in major towns?

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Yes, I do admit that; but it will be more costly and before the people have confidence in such schemes it would be better to try them on a minor scale and thereby show to the people that such a measure is beneficial to them as a whole. On the other hand, if you take up the business in huge towns it will be so costly that Government will not be able to supply funds for them.

MR. M. GOVINDAN (*Nominated*): Cannot the expenditure be spread over a number of years?

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Yes, there is no harm in that. If it is spread like that, tangible results that ought to be shown to the people will not be forthcoming. When a work is done partially it may not give confidence to the people. Therefore it is better to begin from the minor municipalities instead of from major ones.

With regard to the question of distribution of funds between the town and the rural areas, I think the objection comes mainly from one source. Because some of them think that the amount spent in towns is mainly for ornamentation and not for useful purposes. They think it is more a luxury than a necessity. That is why they object to such amounts being spent in towns. But a town-planning measure is more a necessity than a luxury. That is my opinion of the matter. Viewed from that point of view, I think the objection is likely to dwindle down to nothing.

MR. K. C. KARUNAKARAN (*Nominated*): Various aspects of this Bill have been discussed by my friends here and I did not wish to speak on the subject at all. Now after having heard my friend Mr. Gopalakrishna Pillai, I want to make clear one or two points which he emphasised and answered with great force in reply to Mr. Govindan's question. He suggested to the House to begin town-planning from minor municipalities. I beg to differ from him. I would like to point out the difficulties that confront the British Government in developing that side of London which is known as the City, *viz.*, the trading centre of London. Cities like Paris, Berlin, and Vienna were scientifically planned and built up. A man who has travelled in

Berlin, which was remodelled and planned after the city of London was built up, will not be able to see such a dirty place as that part of London called the City. The British Government with its huge finance and the experts at their back are not able to rebuild that part of the London City and bring it up to the level of a big continental trading centre. The only difficulty is that the City has grown up to such an extent that it is impossible to touch that part because the experts are not able to cope with the development which has already taken place in that part during the last so many decades. If we study the history of that part of London City, one could have learnt that. Recently one of the oldest buildings called the Bank of England has been remodelled and reconstructed at an enormous expense. If we follow the argument of my friend Mr. Gopalakrishna Pillai and allow the big municipality to grow as they like and leave them aside and to touch the minor municipalities and develope them scientifically, after some years, our big municipalities, especially trading places, will have to share the fate of that part of the London City. If we begin any town-planning system in Travancore, it is essential that we should begin with the municipalities, especially trading centres like Alleppey, and then touch the minor municipalities.

Another point is with regard to contributions about which a lot of argument has been made. When the big European cities were being planned and constructed on modern lines what they did was they did not touch any of their public revenues. They were authorised to issue bonds and these were backed up by Government which paid for a number of years and the interest on those bonds was promised to be paid by Government. Supposing tomorrow the Alleppey municipality requests the Travancore Government that the Alleppey town should be reconstructed on modern lines or some town-planning system should be introduced, what should be done is the municipality should issue bonds on the strength of the Government and the interest on the bonds should be guaranteed by the Government. In the same way if Quilon town requires remodelling the municipal body there should issue bonds.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Does not the member think that the creation of a sinking fund will help in the matter ?

MR. K. C. KARUNAKARAN (*Nominated*) : Yes, that is what I mean.

If people want to enjoy the benefits of town-planning, those who enjoy have to pay the money and not the poor villagers who do not know any of these things. Creation of a sinking fund is the real solution.

MR. P. S. MAHOMED (*Nominated*) : ടൌൺ പ്ലാനിങ്ങ് സ്കീം കൊണ്ട ഉൾനാട്ടിലെ വിഷമങ്ങൾക്കും പരിഹാരമുണ്ടാകുകയില്ലെ?

MR. K. C. KARUNAKARAN (*Nominated*) : Urban and rural difficulties can be got over when we put into practice the system of town-planning on intelligent lines.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Does the member recognise the difference between urban areas in Germany and other places and in Trivandrum in the matter of finance?

MR. K. C. KARUNAKARAN (*Nominated*): I was not comparing them with those of Germany. I was only telling the House how new towns were planned on the Continent.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Does the member think that it is practical to have any town-planning scheme executed merely from the sinking funds of the Municipalities in Travancore?

MR. K. C. KARUNAKARAN (*Nominated*): On the strength of the bonds the money will be forthcoming. You borrow money after establishing a sinking fund. Say for a period of fifty years this sinking fund may be going on. That is, you can pay back the money after a period of fifty years.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Am I to understand then that the town-planning should be instituted only after 50 years?

MR. K. C. KARUNAKARAN (*Nominated*): Not that. You can begin the scheme all at once provided you establish a sinking fund. I am afraid my friend does not know what a sinking fund is.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Who will make that contribution?

MR. K. C. KARUNAKARAN (*Nominated*): You must issue bonds.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Do you think they will be sold out?

MR. K. C. KARUNAKARAN (*Nominated*): Yes; I think so.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Does not the member think that they will be sold out if underwritten by Government?

MR. K. C. KARUNAKARAN (*Nominated*): Exactly. The payment of interest should be guaranteed by Government. Some of the members who were on the Banking Enquiry Committee are aware that some of the European planters said that they would like to invest their surplus money and unfortunately there was no provision in the Travancore Government whereby they could get the investment from European planters. If only the Travancore Government is prepared to issue bonds like other Governments I am sure a lot of investment will be forthcoming. It was Mr. Lampard who put forward that suggestion to the Banking Enquiry Committee. You cannot say that there is no saving in the country. More deposits will come in provided there is scope for that.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is not the member aware that raising money on debenture system some years ago did not bring in sufficient money?

MR. K. C. KARUNAKARAN (*Nominated*): That was only during the War. Now conditions have completely changed.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Sir, I rise to give my support to the introduction of the Town-planning Bill. The Bill recognises the need for securing the development of urban areas in accordance with a pre-determined plan. The Bill is, in my opinion, a protest against the haphazard development of towns; and I do not see therefore why a clause should not have been introduced in the Bill providing that Municipal Councils *shall be* under an obligation to prepare and adopt town-planning schemes. The Law Member told us that this Bill has been drafted on the lines of the Madras town-planning Bill and he told us also that there is a provision in the Madras Bill that it is obligatory on the Municipalities to adopt town-planning schemes. I fail to see why such a provision should not have been included in the Travancore Bill also.

I have to make a few suggestions for the consideration of the Select Committee when the Bill is referred to it. In Clause 13 Sub-clause (ii), it is stated that " Government may at any time by notification in our Government Gazette vary or revoke a scheme sanctioned under clause 12." It may be that a particular Municipality stands committed to a particular scheme, and probably has partially financed that scheme. If the Government were to take powers under this clause and revoke or vary the scheme, the particular Municipality may be reduced to a very awkward situation. I suggest that this clause should be carefully considered.

Then, coming to the clause relating to the levy of betterment contribution, when a scheme is adopted for a particular area, many poor persons owning lands may be prejudicially affected. They have no option but to give up their holdings, or the contribution for it which it may not be possible for them to do. I therefore suggest that this clause relating to the levy of contribution from owners of holdings by the adoption of the scheme should be carefully considered by the Select Committee. With these few observations, I support the general principle of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Bill has had a general support from the House, to judge from the speeches made by several members; and I do not think it is quite necessary for me to go over all the comments that have been expressed. Perhaps, I may just make a few running observations on some of them.

It was stated by some that a town-planning scheme for a city is a uxury; but Mr. Gopalakrishna Pillai rightly pointed out that it is not so. In fact, as I said before, the poorer a city the more essential is a plan for its development. A little thought will show how from an economic point of view alone intelligence and forethought in the development of towns would eliminate waste and how considerable sums would be saved in after years. Mr. Karunakaran referred, in his speech, to London. London is considered to be one of the most ill-planned cities. It is stated of London that the time, energy and material wasted in merely getting to and from work is prodigious

[Mr. Kayalam Paramesvaran Pillai].

Its cost is calculated to be many millions of pounds annually; and the morning coffee as a pick-me-up has become an institution in many offices there. More and more are workers said to be transferred from creative and productive activities to become carriers and middlemen. I may, in this connection, read to the House, as they may no doubt be interested to hear it what the Ministry of Health in England has laid down in a memorandum in regard to the necessity for town-planning. It reads:

"The importance of providing for the systematic development of areas cannot be too highly estimated. Now less than ever can we afford the waste which has been the result of the haphazard growth of towns in the past; and therefore, in conformity with the measures which are now being taken for economy, wise action is necessary as regards town-planning. For industry, even more than for housing, the gains of proper town-planning are great, by locating factories, workshops, and businesses in the places best adapted for them and by providing betimes for proper roads and other communications and thus avoiding the latter necessity of costly street improvements. The works or measures for which provision is made in town-planning schemes will need to be caried out of course, *only as and when development makes them necessary*."

Mark the last portion. The works need not be done at once or all together. If a scheme is there it may be carried out as and when the necessity or occasion arises. It is further stated in the memorandum.

"Local authorities should, at the outset at least make their town-planning schemes as simple as possible, concentrating on the two essentials, settling the principal lines of communication and allocating areas for the purposes for which they are best suited (zoning) whether industrial, business residential, or as open spaces; this procedure will make for economy and for efficiency."

Thus it will be seen that what the Government are aiming at is not exactly to provide a luxury but to procure, on an economical and efficient basis, sanitary conditions, amenity and convenience.

In regard to finance, as Mr. S. Krishna Pillai pointed out, the main funds on which the cost of carrying out a town-planning scheme is intended to be a charge are the general Municipal revenues. No doubt the Government might advance money, *i. e.*, make grants, and the Municipality may borrow too. One point, however, to be remembered particularly, is that there will be, repayment for what ever is done, by means of the betterment contributions. Thus if a scheme is wisely carried out a house or property may increase in value from Rs. 50 to Rs. 150 and then the Municipality will get good income out of it because the house has risen in value by reason of the scheme having been carried out though at some initial cost. In this connection it will be interesting for the House to know what has been said of Paris—one of the best planned cities. It is said that over £ 20,00,00,000 had been spent on the great improvements to the City of Paris during the last century or so. It was planned by an expert who because of the enormous cost of it was charged with ruining the Emperor, but the Emperor's property it was found actually increased in value five times by the improvements. Paris today has about the finest road system of the large cities of the world. It is the most magnetic city in the world attracting the spending public from its four corners. The two hundred millions is today regarded as a good investment. Any excuse is said to be good enough for a visit to Paris.

On the question of finance there is one aspect that has to be stressed. It is not exactly the lack of money that stands in the way of a scheme being carried out and it does by no means follow that if there is money the scheme will be carried out. It is not a question, after all, of lack of funds. It is more a question of control than of construction.

On the question of compelling Municipalities to prepare schemes it may be mentioned that a town-planning scheme can be carried out successfully and properly only if the citizens co-operate, and co-operate heartily. Provision is made in the Bill for the owners of dwellings and citizens being consulted in the matter of town-planning schemes; and if necessary a conference should be arranged between the Members of the Municipality and the citizens before a scheme is submitted to Government. In fact, the owners may themselves prepare a scheme and submit it to the Municipal Council, so that, if the citizens are desirous of improving a locality, the Municipality cannot lag behind. They will be compelled by public opinion to prepare and carry out schemes that are necessary in the best interests of the city. If in spite of all these, the Municipality does not move in the matter, then the Government can proceed to compel. There is provision for it in the Bill. I am sure, when the Bill goes to the Select Committee, it will be considered in all its aspects and improved if necessary.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is there any legislation which says that Government are bound to contribute a portion of the funds ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Not that I am aware.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : What about the English and Metropolitan Acts ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have read the English Act as well as the Madras Act. So far as I can remember there is no provision to compel Government to contribute.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : So Government are not expected by any Statute to contribute any funds ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I did not say that. They may be expected to help, but the main source is the municipal fund. What I mean is that I do not remember to have seen any statutory provision to compel Government.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is there no statutory provision under which Government will be called upon to contribute.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : No, so far as I can remember. Perhaps the member will correct me if I am mistaken.

The question that the principle of the Bill be accepted was then put and carried.

The Secretary to the Council then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I propose that the Bill may be referred to a Select Committee consisting of:

Messrs. E. V. Krishna Pillai
,, P. S. Mahomed.
,, A. Thanu Pillai.
,, K. I. Kocheepan Mappilla.
,, R. S. Subrahmanya Pillai
,, M. Govinda Pillai.

Messrs. K. P. Kochukora Tarakan.
,, K. Krishnan Nayar.
,, J. S. Westerdale, and
,, Kayalam Paramesvaran Pillai.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

PRESIDENT: Mr. Westerdale will be the Chairman of the Committee, and the Committee will submit its report in three months.

THE POLICE REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to introduce a Bill to amend the Police Regulation. It has been published in the Gazette with a Statement of Objects and Reasons; and I beg to move that the Bill be read in the Council.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I second the motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The principle of the Bill is simple. It is the amendment of a particular section of the Police Regulation, namely, Section 51, which provides for penalising any person for riotous and indecent behaviour in streets and public places. It reads thus:—

> "Section 51. Whoever is found drunk and incapable of taking care of himself, is guilty of any riotous, disorderly or indecent behavour in any street or public place or in any place of public amusement of resort or on board any passenger boat or vessel and whoever is guilty of any violent, disorderly, or indecent behaviour in any Court or Police station or other public office shall be liable to a fine which may extend, to fifty rupees, or to imprisonment of either discription for a term which may extend to eight days."

A doubt has been felt as to whether that provision will apply to the disorderly and drunken behaviour in public passenger vehicles. No doubt the House will concede that riotous behaviour in public passenger vehicle is objectionable asin public streets. To remove this doubt this amendment is proposed.

PRESIDENT: I take it that the motion is accepted?

The motion was carried.

The Secretary to the Council then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, it is a very small Bill. I no not think it requires a Select Committee. It may be taken up for second reading on another occasion.

PRESIDENT: I take it that the motion is carried.

The motion was carried.

THE JENMI AND KUTIYAN REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to present the Report of the Select Committee on the Jenmi and Kutiyan Regulation Amendment Bill; and I beg to move that the Bill as reported be taken up for consideration.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I second it.

The motion was carried.

PRESIDENT: മി: ത്രപ്പൻ നംപൂതിരിപ്പാട്, മററു നംപൂതിരി മെമ്പർമാരുടെ അടുത്തു നിങ്ങൾക്കും സ്ഥാനം കിട്ടിയാൽ കൊള്ളാമെന്നു നിങ്ങൾ അപേക്ഷിച്ചു. അവരുടെ അടുത്തിരിക്കുന്നതു കൊണ്ടുവിരോധമില്ല.

അതനുസരിച്ചു മിസ്റ്റർ ത്രപ്പൻ നമ്പൂതിരിപ്പാട് സ്ഥാനം മാറിയിരുന്നു.

MR. V. N. JATHA VEDAN NAMPUTIRIPAD (*Co-opted*): ജന്മികുടിയാൻ ബില്ലിനെ സംബന്ധിച്ചു വന്ന അമൻറുമെൻറുകൾ ഇംഗ്ലീഷിൽ വന്നിട്ടുണ്ട്. അതിന്റെ മലയാളം തർജ്ജിമ കിട്ടിയിട്ടില്ല. തർജ്ജിമകിട്ടിയതിനുശേഷം ബില്ലിനെപ്പററി ആലോചിക്കേണ്ടിയിരിക്കുന്നതിനാൽ നാളത്തേക്കു ഈ ബില്ല് മാററിയാൽകൊള്ളാമെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, there is a provision for the supply of Malayalam copies to non-English knowing members under Standing Order 39 (3):—

"If any member is unacquainted with English the Secretary shall also, if the President so directs, cause every such notice to be translated into Malayalam or Tamil as the case may be for his use."

PRESIDENT: മിസ്റ്റർ ജാതവേദൻ നമ്പൂതിരിപ്പാട്, ആദ്യത്തേതു രണ്ടു അമൻഡുമെൻറിനെ പററി ആലോചിക്കുന്നതിൽ ഇപ്പോൾ വിരോധമില്ലല്ലോ. അമൻഡുമെൻറുകളുടെ തർജ്ജിമ നാളെ തരുന്നതിനു ഏർപ്പാടുചെയ്യാം.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സർ, ഈ സില ക്ട്കമ്മററി റിപ്പോർട്ടിനെ വീണ്ടും ഒരുസിലിക്ട്കമ്മററിക്ക് അയക്കണ മെന്നുള്ള ഭേദഗതിയെ ഞാൻ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു. സർ, ജന്മി കുടിയാൻ കാര്യങ്ങളെപ്പററി അനേകകാലമായി പലവിധത്തി ലുള്ള വാദപ്രതിവാദങ്ങാം ഉണ്ടാകുകയും പല അവസരങ്ങളിലും അതി നെപ്പററി ജന്മിമാരും കുടിയാന്മാരും ഗവണ്മെൻറിൻെറ അടുത്തു് സങ്കട ങ്ങൾ പറയുകയും ചെയ്തിട്ടുണ്ട്. എന്നാൽ ഇതുവരെ ജന്മിമാരുടേയും കുടിയാന്മാരുടേയും സങ്കടങ്ങൾക്ക് പരിഹാരമായ യാതൊരു മാർഗ്ഗവും ഉണ്ടാക്കാൻ സാധിച്ചിട്ടില്ല എന്നുള്ള സംഗതി ഞാൻ ആദ്യമായി ഇ വിടെ പ്രസ്ഥാവിച്ചു കൊള്ളട്ടെ. അതുകൊണ്ട് ഈ ബില്ലിനെ വീണ്ടും ഒരു സിലിക്ട്കമ്മററിയുടെ അന്വേഷണത്തിന് അയക്കണമെന്നാണ് ഞാൻ ആദ്യമായി ആവശ്യപ്പെടുന്നതു്. അതിനുള്ള കാരണങ്ങളേയും ഇവിടെ പ്രസ്താവിക്കാം. ഒന്നാമതായി ഈ രാജ്യത്തുള്ള മററു ബില്ലു കളെ അപേക്ഷിച്ച് ഈ ബിൽ ഏത്രയും കൂടുതൽ പ്രാബല്യമുള്ള ഒന്നാ ണെന്നാണ് എനിക്കു പറയുവാനുള്ളതു്. രാജ്യത്തിൻെറ സാമ്പത്തിക നിലയെക്കൂടി ബാധിക്കുന്ന ഒരുബില്ലാണ് ഇതു്. ഒരു വാദിയും പ്രതിയും കൂടി സിവിൽക്കോടതിയിൽ നടത്തുന്ന ഒരു വ്യവഹാരം പോലെയാണു ഈ ബില്ലിനെപ്പററി ഈ കൗൺസിലിൽ ആലോചന നടത്തുന്നതു്. ഈ ബില്ലിനോട്ട് തുല്യപ്രാധാന്യമുള്ളതായി വേറെ അധികം ബില്ലുക ൾ ഉണ്ടെന്ന് തോന്നുന്നില്ല. അതിനാൽ ഈ ബിൽ സംബന്ധിച്ചു അ വകാശ വാദങ്ങളെപ്പററി പല മഹാന്മാരും ഏറെക്കുറെ പരിശ്രമിക്കുക യും ജന്മിമാൎക്കും കുടിയാന്മാൎക്കും ഉള്ള സങ്കടത്തെ പരിഹരിക്കണമെന്നു ള്ള ഉദ്ദേശത്തോടുകൂടി പല പ്രാവശ്യവും കമ്മററികൾ ഏർപ്പെടുത്തുക യും ബിൽ രൂപീകരിക്കുകയും ചെയ്തിട്ടുണ്ട്. എന്നാൽ അവ ഒന്നും ത ന്നെ ജന്മിമാൎക്കോ കുടിയാന്മാൎക്കോ തൃപ്തികരമായ നിലയിൽ കാണാ ത്തതുകൊണ്ടാണ് ഗവണ്മെൻറ് അവയെ പല അവസരങ്ങളിലും സ്വീക രിക്കാതിരുന്നിട്ടുള്ളതു്. ഈ ബില്ലിൻെറ രൂപീകരണത്തിൽ സ്വീകരി ച്ചിട്ടുള്ള തത്വത്തെപ്പററി ഇവിടെപലരും അഭിപ്രായങ്ങൾ രേഖപ്പെടു ത്തിയിട്ടുണ്ട്. കുടിയാന്മാൎക്ക് ഈ ബിൽ തൃപ്തികരമല്ലെന്ന്പത്രങ്ങൾ, മെ മ്മോറിയലുകൾ, ഇവ വഴിയായിട്ടും നേരിട്ട് എഴുത്തുകൾ മുഖേനയും മുറ വിളികൂട്ടുന്നുണ്ട്. ജന്മിമാൎക്ക് ഈ ബിൽ ദോഷകരമാണെന്ന് ജന്മിഭാ ഗത്തു് നിന്നും ക്ഷോഭം പുറപ്പെടുവിക്കുന്നു. ഇരുകൂട്ടരേയും തൃപ്തിപ്പെ ടുത്തണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി ഈ ബിൽ രൂപീകരിച്ചുവെങ്കിലും

ഈ അവസരത്തിൽ ആ ഉദ്ദേശം സധിച്ചു കാണുന്നില്ല എന്നുള്ള സംഗതി വ്യസനസമേതം പറയേണ്ടിയിരിക്കുന്നു. എന്നാൽ ഇനിയും ഒരു സിലിക്ട്കമ്മററി കൂടിഏർപ്പെടുത്തി അതിൽ വിചാരണചെയ്തു കഴിഞ്ഞാൽ ഉദ്ദേശം സാധിക്കുമൊഎന്നുള്ളതാണ് ആലോചിക്കേണ്ടതു്. ഇതിനു മുമ്പു ഒരു ബിൽ ഗവണ്മെൻറിൽ നിന്നും രൂപീകരിക്കുകയും അതിനെ ഗസററിൽ പ്രസിദ്ധപ്പെടുത്തുകയും ചെയ്തു. ആ ബിൽ കൗൺസിലിൽ വരുന്നതിന് മുമ്പ്, രണ്ടുകക്ഷികൾക്കും അതിനെപ്പററി ആക്ഷേപം ഉണ്ടെന്നുള്ള കാരണത്താൽ തള്ളപ്പെട്ടുപോയി. ഇതിന് മുമ്പു രാജ്യം ഒട്ടുക്ക് സഞ്ചരിച്ച് കമ്മററിക്കാർ വിചാരണകഴിച്ചശേഷം വലുതായ ഒരു റിപ്പോർട്ട് ഗവണ്മെൻറിലേക്കു സമർപ്പിക്കുകയും ആ റിപ്പോർട്ട് ഉപയോഗശൂന്യമെന്ന് കണ്ട് തള്ളപ്പെടുകയും ചെയ്തു. ആ സ്ഥിതിക്ക് ഇനിയും ഒരു കമ്മററി റിപ്പോർട്ട് വരുത്തുന്നതു് പ്രയോജനമുള്ളതാണൊ അതിലേക്ക് വേണ്ടി വരുന്നകാലതാമസം നഷ്ടമുള്ളതാണൊ എന്നീ സംഗതികൾ ആലോചിച്ച് തീർച്ച ചെയ്യാവുന്നതാണ്.

സർവ്വപ്രധാനമായ ഈ ബില്ലിനെപ്പററി ആലോചിക്കുന്നതിനു് ഒരു കമ്മററി ഏർപ്പെടുത്തി അതിൽ വാദപ്രതിവാദം ചെയ്തു ചില വകുപ്പുകളെ രൂപീകരിച്ചു എന്നല്ലാതെ ആ വകുപ്പ് രൂപീകരിക്കുന്ന സംഗതികളിൽ ശരിയായ ഒരു തത്വത്തെഅടിസ്ഥാനപ്പെടുത്തിയല്ല സിലക്ട്കമ്മററി റിപ്പോർട്ടു രൂപീകരിച്ചിട്ടുള്ളതെന്നു് ഇവിടെപ്രസ്താവിക്കാതെനിവൃത്തിയില്ല. ഈ ബിൽ രൂപീകരിക്കുമ്പോൾ സ്വത്തുക്കളുടെ അവകാശത്തെ നിയന്ത്രിക്കുക എന്നുള്ളതു് ഒരു പ്രധാനസംഗതിയായി കരുതേണ്ടതായിരുന്നു.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇതിനെസംബന്ധിച്ചു മെമ്പറിനുള്ള അഭിപ്രായങ്ങൾ സിലിക്ട്കമ്മററിയിൽ പ്രസ്താവിച്ചപ്പോൾ അതനുസരിച്ചു പ്രവർത്തിക്കുകയില്ലെന്ന് കമ്മററിക്കാർ അഭിപ്രായപ്പെട്ടിട്ടുണ്ടൊ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): എനിക്ക് കഴിവുള്ളതൊക്കെ ഞാൻ സിലിക്ട്കമ്മററിയിൽ പ്രസ്താവിച്ചിട്ടുണ്ടു്.

സ്വത്തുക്കളെ സംബന്ധിച്ചു ചില ന്യായങ്ങൾ ഉണ്ടാകേണ്ടതുണ്ടു്. ഇതുവരെ ഉണ്ടായിട്ടുള്ള കോടതിവിധികളേയും കരാറുകളേയും അടിസ്ഥാനപ്പെടുത്തി വേണം ബിൽ രൂപീകരിക്കുവാൻ. പുതുതായിഒരു നിയമം രൂപീകരിക്കുക എന്നു വരുമ്പോൾ അതിനെ സംബന്ധിച്ചുള്ള

[Mr. C. N. Tuppan Namputiripad.]

എല്ലാകാര്യങ്ങളെപ്പററിയും ശരിയായി തെളിവെടുക്കണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): അങ്ങിനെ തെളിവെടുക്കണമെന്ന് പറയാൻ ആൎക്കാണ് അധികാരം?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഈ കൗൺസിലിനാണ് അതിനുള്ള അധികാരം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സിലിക്ട്കമ്മററിക്ക് നിർദ്ദേശങ്ങൾ കൊടുക്കുന്നതിനു ഈ കൗൺസിലിനു അധികാരമുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സിലക്ട് കമ്മററിയുടെ യുക്തം പോലെ പ്രവൎത്തിക്കാവുന്നതാണ്. ഈ ബില്ലിനെ സംബന്ധിച്ചു തെളിവെടുക്കണമെന്നുള്ള അഭിപ്രായം സിലക്ട്കമ്മററിക്കുണ്ടെങ്കിൽ അങ്ങനെയുള്ള തെളിവു ശേഖരിക്കുന്നതിനുള്ള അധികാരം സിലക്ട്കമ്മററിക്കുണ്ട്.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): മി. രാമൻതമ്പി രാജ്യത്തിന്റെ എല്ലാഭാഗത്തും സഞ്ചരിച്ച് സാക്ഷിവിസ്താരം കഴിച്ചതിനുശേഷം ഗസററിൽ പ്രസിദ്ധംചെയ്ത റിപ്പോർട്ടു ജന്മിമാർക്കും കുടിയാന്മാർക്കും സങ്കടകരമായ ഒന്നായിരുന്നു എന്നു മെമ്പർക്ക് അറിയാമൊ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതു് അറിയാം. അതിനെപ്പററി ഞാൻ പ്രസ്താവിച്ചു കഴിഞ്ഞു. അന്നത്തെ ഗവമെന്റിന്റെ ആർഡർ അനുസരിച്ച് ഒരു കമ്മററി ഏർപ്പെടുകയും കമ്മററി അംഗങ്ങൾ അന്വേഷണം നടത്തുകയും ചെയ്തു. അതിന്റെ ഫലമായി റിപ്പോർട്ട് സഹിതം ഒരു നക്കൽബിൽ സമർപ്പിച്ചു. അതിന്റെ തെളിവുകളും സാക്ഷിമൊഴികളും നോക്കുകയാണെങ്കിൽ അതു് ശരിയായിട്ടുള്ളതല്ലെന്നു കാണാവുന്നതാണ്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മി: രാമൻതമ്പിയുടെ ബില്ലിൽ, ആവശ്യമുള്ള കാൎയ്യങ്ങൾക്കെല്ലാം വേണ്ടിടത്തോളം തെളിവെടുത്തിട്ടില്ലെന്നാണൊ മെമ്പർ അഭിപ്രായപ്പെടുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ജന്മിമാരുടേയും കുടിയാന്മാരുടേയും കാൎയ്യങ്ങൾ ശരിയായി മനസ്സിലാക്കാതെ പലസംഗതികളും ആ ബില്ലിൽ ചേൎത്തിട്ടുണ്ട്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): സിലക്ട്കമ്മററിയിൽ ജന്മിപ്രതിനിധികൂടെ ഉണ്ടായിരുന്നില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഉണ്ടായിരുന്നു. അതിനെപ്പററി അഭിപ്രായ വ്യത്യാസവും ഉണ്ടായിരുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ആവശ്യമുള്ള ഭാഗങ്ങളെപ്പററി ചോദിച്ചു വരുത്തിയിട്ടുണ്ടായിരുന്നോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അഭിപ്രായ വ്യത്യാസം രേഖപ്പെടുത്തിയിട്ടുണ്ടായിരുന്നു. റിപ്പോർട്ട് ശരിയല്ലെന്ന്കണ്ടു് ഗവണ്മെൻറ് ആ ബിൽ തള്ളിക്കളഞ്ഞു.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): ഈ ബില്ലിനെപ്പററി തെളിവെടുക്കണമെന്ന് കൗൺസിലിൻെറ ആലോചനയിൽ വരുത്തിയിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmeis*): സിലക്ട്കമ്മിററി കൂടുന്ന അവസരത്തിൽ ആ കമ്മററിക്ക് തെളിവെടുക്കുന്നതിന് അധികാരമുണ്ടെന്ന് കൗൺസിലിൽ പറഞ്ഞിട്ടുണ്ട്.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): ഈ സംഗതി കമ്മററിയുടെ ആലോചനയ്ക്കു് വിഷയീഭവിപ്പിച്ചിട്ടില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഈ ബില്ലിനെപ്പററി തെളിവെടുക്കണമെന്ന് ജന്മി ഭാഗത്തുനിന്നും അഭിപ്രായപ്പെട്ടിട്ടുണ്ട്.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): കമ്മററി അതിനെപ്പററി ആലോചിച്ചിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): മെജാറിട്ടി അനുസരിച്ച് കമ്മററി തീരുമാനിച്ചു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മി: രാമൻ തമ്പിയുടെ റിപ്പോർട്ട് സമർപ്പിച്ചതു് എത്രപേരുടെ മൊഴിവാങ്ങിച്ചതിനുശേഷമാണ്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ൩൦൦ കുടിയാന്മാരുടേയും ൫൦൦ ജന്മിമാരുടെയും മൊഴിവാങ്ങിച്ചിട്ടുണ്ട്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ആ മൊഴികാം എവിടെയാണിരിക്കുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അവ ഗവണ്മെൻറിൽ ഉണ്ട്. ആമൊഴികളെ ജന്മിഭാഗത്തുനിന്നും സമ്മതിച്ചിട്ടില്ല എന്ന്ധരിക്കേണ്ടതാണ്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): റൗണ്ട്ടേബിൾ കാൺഫറൻസിലെ തീരുമാനം അനുസരിച്ചല്ലെ ഈ ബിൽ ഉണ്ടായിട്ടുള്ളതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): റൗണ്ട് ടേബിൾ കാൺഫറൻസിൻെറ തീരുമാനമനുസരിച്ചാണു് ഈ ബിൽഉണ്ടാക്കിയിട്ടുള്ളതു് എന്നു സമ്മതിക്കാം. എന്നാൽ അവിടെനടന്നവാദങ്ങളെ ജന്മിപ്രതിനിധികൾ ഏറെക്കുറെ സമ്മതിച്ചിട്ടില്ല. ഈ ബിൽ രൂപീകരിച്ചശേഷം വീണ്ടും ഒരു കാൺഫറൻസ്കൂടി കാര്യങ്ങൾ എല്ലാവരും ശരിയായി മനസിലാക്കിയ ശേഷമല്ലാതെ ഇതു് ആലോചനക്ക് എടുക്കുന്നതല്ല എന്നു വിശ്വസിച്ചുകൊണ്ടാണ് അന്ന് കമ്മററി പിരിഞ്ഞതു്. അന്നു് മി: താണുപിള്ള മുതലായ പല മെമ്പറന്മാരും ഈവിധത്തിൽ അഭിപ്രായപ്പെട്ടിട്ടുള്ളതായി ഞാൻ ഇപ്പോൾ ഓർക്കുന്നുണ്ടു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സിലക്ട് കമ്മററിയിൽ ജന്മിപ്രതിനിധികൾ ഉണ്ടായിരുന്നു എന്നറിയാമൊ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അറിയാം. കുടിയാൻ പ്രതിനിധികളുടെ സംഖ്യയനുസരിച്ചു് ജന്മിപ്രതിനിധികൾ ഇല്ലാതിരുന്നു എന്നും അറിയാം.

ഈ കൗൺസിലിൽ വച്ചാണു് റൗണ്ട് ടേബിൾ കാൺഫറൻസ് രൂപീകരിച്ചതു്. കൗൺസിലിൽവച്ചുതന്നെ കുടിയാൻ പ്രതിനിധികളെ തിരിഞ്ഞെടുത്തു. അതുപോലെ നിഷ്പക്ഷനിലയിലുള്ള ആ കൗൺസിലിൽ വച്ചുതന്നെ ജന്മിപ്രതിനിധികളേയും റൗണ്ട്ടേബിൾ കാൺഫറൻസിൽ തിരിഞ്ഞെടുക്കാമായിരുന്നു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): നിഷ്പക്ഷനിലയിലുള്ള കൗൺസിലിൽനിന്നും തിരിഞ്ഞെടുത്ത സിലക്ട് കമ്മററി രൂപീകരിച്ച റിപ്പോർട്ടിനെ ജന്മിപ്രതിനിധികൾക്ക് സ്വീകരിക്കുന്നതിനു എന്താണ് ആക്ഷേപം?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): നിഷ്പക്ഷനിലയിലുള്ള സിലക്ട്കമ്മററി റിപ്പോർട്ടാണെങ്കിൽ അതിനെ സ്വീകരിക്കുന്നതിൽ യാതൊരു വിരോധവുമില്ല. ൧൧ കുടിയാൻ മെമ്പന്മാരുണ്ടായിരുന്നു. ജന്മിമെമ്പറന്മാർ മൂന്നുപേർ മാത്രമെ ഉണ്ടായിരുന്നുള്ളു. അതിൽ മെജാറിട്ടി കുടിയാന്മാർക്കേ കിട്ടുകയുള്ളു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): കുടിയാന്മാരുടെ സ്ഥാനം ശരിയായി അർഹിക്കുന്ന മെമ്പർമാർ എത്രയുണ്ടെന്നറിയാമൊ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അറിയാം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): തിരിഞ്ഞെടുക്കപ്പെട്ട ജന്മിമാരുടേയും കുടിയാന്മാരുടേയും വോട്ടനുസരിച്ചാണ് കാൺഫറൻസിൽ തീരുമാനം ഉണ്ടായതെന്നറിയാമൊ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അറിയാം.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*) സിലക്ട്കമ്മററിയുടെ റിപ്പോർട്ട് നിഷപക്ഷനിലയിലുള്ളതല്ലെന്നാണൊ മെമ്പർ അഭിപ്രായപ്പെടുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): നിഷ്പക്ഷമായിട്ടുള്ളതല്ല. അതിനുള്ള കാരണവും പറയാം. ഒരാളിന്റെ അവകാശപ്പെട്ടിരിക്കുന്ന സ്വത്തിന് യാതൊരു പ്രതിഫലവും കൊടുക്കാതെ, ഒരു നിയമമൊ ഒരു വകുപ്പോമാത്രം വച്ചുകൊണ്ട്, മെജാറിട്ടി എന്നുള്ള ഒരു ഒററക്കാരണവും പറഞ്ഞു വീണ്ടെടുക്കാമെന്ന് പറയുന്നതു് ഒരിക്കലും ന്യായമല്ല. അതു് ഒരു തത്വത്തേയും അടിസ്ഥാനമാക്കിയിട്ടുള്ളതുമല്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഈ സിലക്ട്കമ്മററിറിപ്പോർട്ട് ഈ കൗൺസിലിൽ ഹാജരാക്കുമ്പോൾ ഈ കൗൺസിലിൽനിന്നും നിഷ്പക്ഷനിലയിലുള്ള ഒരു തീരുമാനം കിട്ടുമെന്ന് മെമ്പർ വിചാരിക്കുന്നുണ്ടൊ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഈ ബിൽകൊണ്ട് അനുകൂലം കിട്ടുമെന്ന് വിചാരിക്കുന്നില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : അതുകൊണ്ട് ഈ സിലക്ട് കമ്മററി റിപ്പോർട്ട് കൗൺസിലിൽ ഹാജരാക്കാൻ പാടില്ലെന്നാണൊ മെമ്പറുടെ അഭിപ്രായം?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : വാസ്തവം പറയുകയാണെങ്കിൽ ....

MR. S. KRISHNA PILLAI (*Karunagapalli*) : കള്ളം പറയരുതേ!

MR. C. N. TUPPAN NAMUTIRIPAD (*Jenmies*) : "വാസ്തവം പറയുകയാണെങ്കിൽ" എന്നു ഞാൻപറഞ്ഞതു് എന്റെ ഭാഷയുടെ സ്ഥിതികൊണ്ടാണ്. അതുകൊണ്ട് അതിനെ വേറെ വിധത്തിൽ ധരിക്കരുതെന്നു് മെംബറോട് ഞാൻ ആവശ്യപ്പെടുന്നു. സിലക്ട് കമ്മിററിറിപ്പോർട്ട ഈ കൌൺസിലിൽ ഹാജരാക്കാൻ പാടില്ലെന്നല്ല ഞാൻ പറഞ്ഞതു്. ഒരു കേസിൽ പത്തു പ്രതിയും ഒരു വാദിയും കൂടിചേർന്ന് പതിനൊന്നു പേരുടെ മെജാറിട്ടി എടുത്തു് ആ കേസ് തീരുമാനിക്കുന്നതുപോലെയാണ് ഈ ബില്ലിനെപ്പററി ഈ കൌൺസിൽ തീരുമാനിക്കുന്നതു്.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : അതുകൊണ്ടു് ഈ ബിൽ കൌൺസിലിൽ കൊണ്ടുവരാതിരിക്കുന്നതിനായി അതു ഹാജരാക്കിയ ആളിനെക്കൊണ്ടു് പിൻവലിപ്പിക്കണമെന്നാണൊ മെംബർ വിചാരിക്കുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*) : എന്നല്ല ഞാൻ പറയുന്നതു്. കൌൺസിൽമെംബറന്മാർ നിഷ്പക്ഷ നിലയിൽ പെരുമാറുന്ന മാന്യന്മാരാണെന്നു് എനിക്കു് ഉത്തമവിശ്വാസമുണ്ടു്. എന്നാൽ ഇന്നു് രാജ്യത്തെ നടപ്പു് കോടതി വിധികൾ ജന്മിമാരും കുടിയാന്മാരും തമ്മിലുള്ള കരാറുകൾ ഇവയെ ലംഘിച്ചു് പ്രവൎത്തിക്കാൻ പാടില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : ഈ കൌൺസിലിൽ ഹാജരാക്കിയാൽ ന്യായമായ തീരുമാനം കിട്ടുകയില്ലെന്നു് മെംബൎക്കഭിപ്രായം ഉണ്ടെങ്കിൽ ബിൽ കൊണ്ടുവന്ന ആളിനെക്കൊണ്ടു് അതു പിൻവലിപ്പിക്കണമെന്നു് അഭിപ്രായമുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRI PAD (*Jenmies*): എന്നു ഞാൻ അഭിപ്രായപ്പെട്ടില്ല. സിലക്ടു് കമ്മററിയുടെ റിപ്പോർട്ടു് കണ്ടപ്പോൾ ഭയന്നുപോയി. നാട്ടു നടപ്പിനേയും അവകാശക്രമങ്ങളേയും കുറിച്ചു് സിലക്ടു് കമ്മററി മെംബറന്മാരും കൌൺസിൽ മെംബറന്മാരും സംഗതികൾ മുഴുവൻ മനസിലാക്കാത്തതുകൊണ്ടാണു് ഇങ്ങിനെ ഒരു റിപ്പോർട്ടു് സമൎപ്പിച്ചതെന്നു് വിചാരിക്കാൻ ന്യായം കാണുന്നുണ്ടു്. അങ്ങിനെ തന്നെയാണു് ഞാൻ വിചാരിക്കുന്നതും.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): സിലക്ടു് കമ്മററിമെമ്പേർസിനെ ഈ സംഗതികൾ ധരിപ്പിച്ചിട്ടില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : അവിടെവച്ചു് എന്നാൽ സാധിക്കുന്നിടത്തോളം മററു മെമ്പേർസിനേയും ഈ സംഗതികളെല്ലാം ധരിപ്പിച്ചിട്ടുണ്ടു്. ഈ നിലയിൽ വരുമെന്നു് തീരെ ധരിച്ചിരുന്നില്ല.

MR. A. THANU PILLAI (*Trivandrum*): സിലക്ടു് കമ്മററിയിൽ വച്ചു ഓരോ കാൎയ്യങ്ങൾ ആലോചിച്ചു് തീൎച്ചചെയ്തുകൊണ്ടിരുന്നപ്പോൾ തോന്നിയ അഭിപ്രായങ്ങളല്ല ഈ റിപ്പോട്ടു് ഒരുമിച്ചുകണ്ടപ്പോൾ തോന്നുന്നതു്, എന്നാണൊ മെംബർ അഭിപ്രായപ്പെടുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : സിലക്ടു് കമ്മററിയിൽ ഓരോ അഭിപ്രായങ്ങളെപ്പററിയും വാദപ്രതിവാദം ചെയ്തു റൌണ്ടു്

ടേബിൾ കാൺഫറൻസിൽ രൂപീകരിച്ചിട്ടുള്ള ബില്ലിൽ നിന്നും വ്യത്യസ്തപ്പെട്ടനിലയിലാണ് സിലക്ട് കമ്മററി റിപ്പോർട്ട് സമർപ്പിച്ചപ്പോൾ കണ്ടതു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): സിലക്ട്കമ്മററിയുടെ തീരുമാനം അനുസരിച്ചുള്ള റിപ്പോർട്ടിന് ആക്ഷേപം ഉണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സിലക്ട് കമ്മററിയുടെ തീരുമാനത്തിൽ വിരോധമുണ്ടെന്നല്ല പറയുന്നതു്. എന്നാൽ ആ തീരുമാനത്തെ ജന്മിഭാഗത്തുനിന്നും അനുകൂലിക്കുന്നതിന് നിവൃത്തിയില്ല. അതിനാൽ കുറെക്കൂടി വിശാലമായിട്ടുള്ള വിധത്തിൽ തെളിവ് വാങ്ങിക്കുന്നതിന് കൂടുതലായി അന്വേഷണം നടത്തണം എന്നാണ് എന്റെ അഭിപ്രായം.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): കൂടുതലായി തെളിവെടുക്കണമെന്നും അന്വേഷണം നടത്തണമെന്നും സിലക്ട്കമ്മിററിയിലെ മററു മെമ്പ്രന്മാരോട് മെമ്പർ ആവശ്യപ്പെട്ടിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ആവശ്യപ്പെട്ടിട്ടുണ്ട്. എന്നാൽ കമ്മിററിയിലെ മെജാറിട്ടിഅനുസരിച്ച് തെളിവുവാങ്ങിക്കേണ്ട എന്നു തീരുമാനിച്ചശേഷമാണ് അതിനേപ്പററി നിരൂപണംചെയ്യാൻ ഇടയായതു്. അതുകൊണ്ടാണ് വീണ്ടും ഒരന്വേഷണംകൂടി നടത്തണമെന്ന് അഭിപ്രായപ്പെടുന്നതു്.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): ഒരു സിലക്ട്കമ്മററിയെ വീണ്ടും നിയമിക്കുന്നതു് ഈ കൌൺസിൽ അംഗങ്ങളിൽനിന്നുതന്നെആണോ വേണ്ടതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതുകൊണ്ട് ആക്ഷേപമില്ല. പ്രതിനിധികൾ ഒരുപോലെയിരിക്കണമെന്നേയുള്ളു.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഈ കൌൺസിലതിൽ ഈ ബില്ലിനെപ്പററി വായിച്ചുകേട്ട് തീരുമാനിച്ചാൽപോരെ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ആവശ്യമുള്ള റിക്കാർഡുകൾകൂടി നോക്കിച്ചെയ്താൽ മതിയാകും. പക്ഷേ അതു് ഈ കൌൺസിലിൽവച്ചു സാധിക്കുകയില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): സാക്ഷികൾ രേഖപ്പെടുത്തിയിട്ടുള്ള തെളിവുകൾ ഉണ്ടെന്ന് മെമ്പർക്കറിയാമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അറിയാം.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : പിന്നെ കൂടുതൽ തെളിവു രണ്ടാമതും ശേഖരിക്കണമെന്നുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : ഇപ്പോൾ നിലവിലിരിക്കുന്ന ബില്ലോ സിലക്റ്റ്കമ്മിററിറിപ്പോർട്ടോ ആ തെളിവുകൾ അടിസ്ഥാനപ്പെടുത്തി ഉണ്ടാക്കിയിട്ടുള്ളതല്ല.

പ്രധാനപ്പെട്ട സംഗതികളെക്കുറിച്ച് ഏതെങ്കിലുംവിധത്തിൽ നടപ്പിൽവരുത്തിയാൽ പോരാ. കൂടുതലായി ആലോചനനടത്തി തീരുമാനംചെയ്താൽ അത് ഇരുകൂട്ടക്കും മേലാൽ വഴക്കുകൂടാതെകഴിക്കാൻ സാധിക്കുന്നതാണ്.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatunad*) : ഒരു കമ്മിററിയിലെ മെമ്പറന്മാർ നിഷ്പക്ഷനിലയിൽ റിപ്പോർട്ടു സമർപ്പിച്ചു എങ്കിൽ രണ്ടാമതും ഒരു കമ്മിററിക്ക് എന്തിനാണ് അയക്കുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : ഈ ബിൽ റിപ്പോർട്ടിനെ അടിസ്ഥാനപ്പെടുത്തി എഴുതിയിട്ടുള്ളതാണ്. ശരിയായ തെളിവെടുത്തു് ഒന്നുകൂടി ബിൽ രൂപീകരിക്കുന്നതായിരുന്നാൽ അവകാശക്രമങ്ങളെപ്പററി രണ്ടുകൂട്ടക്കും തൃപ്തികരമായനിലയിൽ ഒരു തീരുമാനം വരാൻ സാധിക്കുമെന്നു തോന്നുന്നുണ്ട്.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatunad*) : സിലക്റ്റ്കമ്മിററി റിപ്പോർട്ടെന്നുപറയുന്നതു റൗണ്ട്ടേബിൾ കാൺഫറൻസിൽ രണ്ടുകക്ഷികളുടേയും സമ്മതപ്രകാരമുള്ള വ്യവസ്ഥയനുസരിച്ചു ലാമെമ്പർ തയാറാക്കിയിട്ടുള്ള റിപ്പോർട്ട് അല്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : അതേ. പക്ഷെ ഒരു തത്വത്തെയും അടിസ്ഥാനപ്പെടുത്തിയല്ല ബിൽ രൂപീകരിച്ചതു്. ബില്ല് രൂപീകരിക്കാൻ സ്വീകരിച്ചതത്വത്തിൻെറവ്യാപ്തി വളരെ കടന്നുപോയി. അതിൻെറ വ്യാപ്തി നോക്കിയാൽ ജന്മിമാക്ക് ദോഷമാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : റൗണ്ട്ടേബിൾ കാൺഫറൻസിൽവച്ചു ഈ ദോഷം ഉണ്ടാകുമെന്നു തോന്നിയില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : ബിൽ കണ്ടതിൽ പിന്നെയാണ് അതിനെപ്പററി മനസ്സിലായതു്. ഉഭയം ചുരുക്കുക എന്നുള്ളതിനെപ്പററി പറഞ്ഞിരിക്കുന്നതു് വളരെ ദോഷമാണ്. അതിൽ നാട്ടുനടപ്പും അവകാശവും നോക്കേണ്ടതാണ്. മുമ്പ് ൧൦൨ കൊല്ലത്തിലൊരിക്കൽ ഉഭയം ചുരുക്കുന്നതിന് അവകാശം ഉണ്ടായിരുന്നു. ഉഭ

യം ചുരുക്കുന്നതിൽ ഇത്ര അവകാശം ഉണ്ടെന്നു നിശ്ചയിച്ചാൽ മതിയായിരുന്നു. ഉഭയം ഇത്രയെന്നു് ക്ലിപ്തംചെയ്യേണ്ടതു് അത്യാവശ്യമാണു്. ഇതിനെപ്പററി ജന്മിഭാഗത്തുനിന്നും പറഞ്ഞിട്ടുണ്ടു്. ബിൽ ഭ്രപീകരിക്കുമ്പോൾ ശരിയായി വന്നുകൊള്ളുമെന്നു് അപ്പോൾ പറഞ്ഞു. ബിൽ ഭ്രപീകരിക്കുമ്പോൾ നാട്ടുനടപ്പനുസരിച്ചുള്ള ഉഭയത്തെപ്പററി നോക്കാതെ വരികയില്ലെന്നു് ഞങ്ങളും വിചാരിച്ചു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതു് ബില്ലിന്റെ ഏതുവകുപ്പാണു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ൧൪-ാംവകുപ്പിന്റെ ഒന്നാം ഉപവകുപ്പാണു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതു് റൗണ്ട്ടേബിൾ കാൺഫറൻസിലെ പത്താമത്തെ തീരുമാനം അനുസരിച്ചാണു് നിശ്ചയിച്ചിട്ടുള്ളതു്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): പന്ത്രണ്ടുകൊല്ലത്തിലൊരിക്കൽ ഉഭയം ചുരുക്കുകയാണു് പതിവു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതിലേക്കു് ഒരു തവണ അനുവദിക്കാം. മേൽ അനുവദിച്ചുകൂടാ എന്നാണു് തീരുമാനം.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതനുസരിച്ചു് ബില്ലിന്റെ ഭ്രപീകരണംവന്നപ്പോൾ ഇന്ന ഉഭയം എന്നു് ക്ലിപ്തംചെയ്തിട്ടില്ല. അതാതു് ദേശത്തെനടപ്പും ജന്മിമാർകൊടുത്തിട്ടുള്ള ആധാരങ്ങളുടെരീതിയും അടിസ്ഥാനപ്പെടുത്തി ഉഭയം ചുരുക്കേണ്ടതാണു്. ആ വിധത്തിലല്ല ബിൽ ഭ്രപീകരിച്ചിരിക്കുന്നതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഇപ്പോഴത്തെ ജന്മികുടിയാൻ റഗുലേഷനിലെ വകുപ്പനുസരിച്ചല്ലേ അതു് ചേർത്തിരിക്കുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): റഗുലേഷൻപ്രകാരം ൧൨-കൊല്ലംകഴിയുമ്പോൾ ഏതവസരത്തിലും ജന്മിക്കു് ഉഭയം ചുരുക്കുവാൻ അധികാരം ഉണ്ടു്. ഇതുനിമിത്തം കോടതിയിൽ വ്യവഹാരങ്ങൾ വർദ്ധിക്കാനിടയുണ്ടു്. അതുകൊണ്ടാണു് ഉഭയം ചുരുക്കുന്നതിൽ ഒരു ക്ലിപ്തം വേണമെന്നു പറയുന്നതു്. ഈ നിയമം പാസ്സാക്കുന്നതായാൽ ഈ ഒററ നിയമംകൊണ്ടുതന്നെ അനേകായിരം വ്യവഹാരങ്ങൾ ഉണ്ടാകുന്നതാണു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : അതിനെപ്പററി റൌണ്ട് ടേബിൾ കാൺഫറൻസിൽ പ്രസ്താവിച്ചിരുന്നില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : അതിന്റെ തത്വത്തെപ്പററി പറഞ്ഞിട്ടുണ്ട്. ബിൽ രൂപീകരിച്ചപ്പോൾ ആ ഭാഗം വന്നിട്ടില്ല. ഇന്നത്തെ നാട്ടുനടപ്പനുസരിച്ചു ജന്മിമാൎക്കു ഉഭയം കൂടുതൽ ചുരുക്കാൻ നിവൎത്തിയില്ല.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*) : ഉഭയം കൂട്ടിവച്ചിട്ടുള്ള വസ്തുക്കൾക്കു പാട്ടവും കൂടുതലല്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): പണ്ടാരപ്പാട്ടവസ്തുക്കളെപ്പോലെ തന്നെ പാട്ടം ചുരുങ്ങിയ നിലയിലാണിരിക്കുന്നതു്; പാട്ടം കൂടുതലില്ല.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*) : ചില ആധാരങ്ങളിൽ പാട്ടം കുറവും ചിലതിൽ കൂടുതലും ഇരിക്കുന്നതനുസരിച്ചു ഉഭയത്തിലും കൂടുതൽ കുറവില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): വസ്തുക്കളുടെ പാട്ടത്തിനല്ല ഉഭയം നിശ്ചയിക്കുന്നതു്. കാണ സംഖ്യയ്ക്കാണു് ഉഭയം വച്ചിരിക്കുന്നതു്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*) : പാട്ടത്തിനു ഒരു തുക തള്ളിയിട്ടു ബാക്കിയുള്ളതു് മിച്ചവാരം കൊടുക്കണമെന്നു ആധാരത്തിൽ നിശ്ചയിച്ചിരിക്കെ, പാട്ടം പഴയ നിലയിലിരുന്നാൽ പലിശ കൂടുകയും കുടിയാന്റെ കയ്യിൽ നിന്നും അതു കൊടുക്കേണ്ടതായി വരികയും ചെയ്യുകയില്ലേ? പാട്ടം കൂടിയിരിക്കുകയും ഉഭയം ചുരുക്കാതിരിക്കുകയും ചെയ്താൽ മിച്ചവാരം കൂടുതൽ കൊടുക്കേണ്ടി വരികയില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): പാട്ടം കൂടുതൽ ആണെന്നുള്ള കാരണത്താൽ കാണത്തിന്റെ ഉഭയം ചുരുക്കാമെന്നല്ല ഞാൻ പറയുന്നതു്.

വിളവു കുറവാണെന്നു കണ്ടാൽ പാട്ടത്തിന്റെ സംഖ്യ കുറയ്ക്കാം. എന്നാൽ കാണം വാങ്ങിച്ച പണത്തിന്റെ പലിശയ്ക്കും വസ്തുവിന്റെ വിളവിനും തമ്മിൽ യാതൊരു സംബന്ധവുമില്ല. ജന്മിഭാഗത്തെ മാത്രം ബന്ധിക്കുന്ന ഈ സംഗതി ന്യായമല്ല.

PRESIDENT : അതു് ൫൪-ാം വകുപ്പിനു വ്യത്യാസമല്ല എന്നാണു് പറയുന്നതു്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): പന്ത്രണ്ടു കൊല്ലത്തിലൊരിക്കൽ ഉഭയം പുതുക്കാമെന്നുള്ള തത്വമാണ് സ്വീകരിക്കേണ്ടതു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അങ്ങിനെയല്ല. മേലാൽ ഒരു തവണ മാത്രമെ അനുവദിക്കുകയുള്ളു; പിന്നീടു പാടില്ലാ എന്നാണ്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): പന്ത്രണ്ടു കൊല്ലത്തിലൊരിക്കൽ എന്നുള്ള സംഗതി ജന്മി ഭാഗത്തുനിന്നും സമ്മതിച്ചിട്ടുള്ള തത്വമാണ്; ഉഭയം ഇന്നതാണെന്നു ക്ലിപ്തപ്പെടുത്തണമെന്ന് ആവശ്യപ്പെട്ടപ്പോൾ ബിൽ രൂപീകരിക്കുമ്പോൾ അങ്ങിനെ രൂപീകരിച്ചുകൊള്ളുമെന്നു പറഞ്ഞു. അങ്ങിനെ ഉഭയത്തിനു ക്ലിപ്തം ചെയ്തിരുന്നു എങ്കിൽ വ്യവഹാരത്തിനെങ്കിലും ന്യായമായിരുന്നേനെ.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഉഭയത്തെ സംബന്ധിച്ചു കരാർ ഉണ്ടായിട്ടുണ്ടെന്നുള്ള വിവരം അറിഞ്ഞുകൂടെ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ആയിരം ചക്രം കാണം ഉണ്ടെങ്കിൽ ഇത്ര സംഖ്യ പലിശ കൊടുക്കണമെന്ന് ആധാരത്തിൽ പറഞ്ഞിട്ടുണ്ട്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated Deputy President*): മിസ്റ്റർ തുപ്പൻ നമ്പൂതിരിപ്പാടു പറയുന്ന ഭാഗം സിലക്റ്റ് കമ്മററിയിൽ പ്രസ്താവിച്ചിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): പ്രസ്താവിച്ചിട്ടുണ്ട്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): ജന്മിപ്രതിനിധികളുടേയും മററുള്ളവരുടേയും വോട്ടെടുത്തു തീരുമാനിക്കുകയാണോ ചെയ്തിട്ടുള്ളതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): മെജാറിട്ടി അനുസരിച്ചാണ് അവിടെ തീരുമാനിച്ചിട്ടുള്ളതു്. ഈ ബില്ലിനു കൂടുതൽ തെളിവെടുക്കുന്നതിനു വീണ്ടും ഒരു സിലക്ട് കമ്മററിയിൽ അയച്ചു ഒന്നുകൂടി അന്വേഷണം നടത്തണം. ജന്മികുടിയാൻ കാര്യങ്ങളെ സംബന്ധിച്ചുള്ള ഹൈക്കോടതിയുടെ തീരുമാനങ്ങളെക്കൂടി നോക്കേണ്ടതാണ്. ഒരാളിന്റെ വസ്തുവിന്റെ അവകാശത്തെ മുഴുവൻ യാതൊരു പ്രതിഫലവും കൂടാതെ കൊടുക്കണമെന്നാണു ഈ റിപ്പോർട്ടിൽ കാണുന്നതു്. റഗുലേഷൻ അനുസരിച്ചു ജന്മവസ്തുക്കളെ ഒഴിപ്പിക്കാൻ പാടില്ല. സിലക്റ്റ് കമ്മററി ചെയ്തിരിക്കുന്ന റിപ്പോർട്ടു ജന്മിമാരെ ദോഷപ്പെടുത്തണമെന്നുദ്ദേശിച്ചുല്ല. എന്നാൽ അവക്കു ജന്മിമാരുടേയും കുടിയാ

[Mr. C. N. Tuppan Namputiripad.]

ന്മാരുടേയും അവകാശങ്ങളെ സംബന്ധിച്ച ശരിയായി മനസ്സിലായിട്ടുണ്ടെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ജന്മിമാരുടെ വസ്തുക്കളിൽ ജന്മിക്കു എത്ര അവകാശമുണ്ടു് കുടിയാനു എത്ര അവകാശമുണ്ടു് എന്നുള്ള സംഗതികൾ അവർ മനസ്സിലാക്കി പ്രവർത്തിച്ചിരുന്നു എങ്കിൽ ഈ തർക്കം വരികയില്ലായിരുന്നു. റൗണ്ട്ടേബിൾ കാൺഫറൻസിൽവച്ചു ചലി ശ ഫ്രവ്വ കൊടുക്കണമെന്നു പറഞ്ഞു. അതിനു തടസ്ഥം പറഞ്ഞപ്പോൾ രണ്ടിനും മദ്ധ്യേയുള്ള ഒരു തുകയിരുന്നുകൊള്ളട്ടെ എന്നു നിശ്ചയിച്ചു.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): മെംബർ സിലക്ട് കമ്മറ്റിയിൽ ഹാജരാക്കിയ റിക്കാർഡുകളെ കമ്മറ്റിയിൽനിന്നും നോക്കുകയില്ലെന്നു പറഞ്ഞുവോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതല്ല ഞാൻ പറയുന്നതു്. സിലക്ട് കമ്മറ്റി വേണ്ടതുപോലെ തെളിവെടുത്തിട്ടില്ല എന്നാണു് എനിക്കു പറയാനുള്ളതു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): റിക്കാർഡുകൾ ഹാജരാക്കിയപ്പോൾ അവയെ സ്വീകരിക്കുകയില്ല പരിശോധിക്കുകയില്ല എന്നു പറഞ്ഞിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അങ്ങിനെ ചെയ്തിട്ടില്ല.

നമ്പൂതിരിബില്ലിൽ സിലക്ട്കമ്മറ്റിയുടെ വിചാരണകഴിച്ചാണു് ഉണ്ടാക്കിയിട്ടുള്ളതു്. ക്ഷത്രിയബില്ലിനു രാജ്യംഒട്ടുക്ക സഞ്ചരിച്ചു തെളിവെടുത്തു നാട്ടുനടപ്പു മനസ്സിലാക്കണമെന്നു നിശ്ചയിച്ചിട്ടുണ്ടു്. അതുപോലെ നായർ ബിൽ, ഈഴവബിൽ ഇവയൊക്കെ കൂടുതൽ തെളിവെടുത്തു നാട്ടുനടപ്പനുസരിച്ചാണു സ്വീകരിച്ചിട്ടുള്ളതു്. അതുപോലെ ഈ ബില്ലിനും തെളിവെടുക്കണമെന്നു് അഭിപ്രായപ്പെട്ടിട്ടുണ്ടു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): മെംബർ പറഞ്ഞ രൂപത്തിലുള്ള തെളിവെടുത്തു റിപ്പോർട്ടു് അയക്കണമെന്നു കൗൺസിലിൽ പറഞ്ഞിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): രാജ്യം ഒട്ടുക്ക സഞ്ചരിച്ചു് തെളിവെടുക്കണമെന്നു് സിലക്ട്കമ്മറ്റിയിൽ അഭിപ്രായപ്പെട്ടിട്ടുണ്ടു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): : സിലക്ട്കമ്മറ്റി നിയമിച്ച കാലത്തു രാജ്യം മുഴുവൻ സഞ്ചരിച്ചു തെളിവു ശേഖരിച്ചു റിക്കാർഡുകൾ പരിശോധിച്ചു് റിപ്പോർട്ടു

സമർപ്പിക്കണമെന്നുള്ള കല്പന കൗൺസിലിൽനിന്നും കമ്മററിക്കു് കൊടുത്തിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഇല്ല.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): അങ്ങിനെ തെളിവെടുക്കണമെന്നു് ആവശ്യപ്പെട്ടിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഇല്ല. എന്നാൽ മററു് അവസരങ്ങളിൽ നിശ്ചയിച്ച സിലക്ടുകമ്മററികളിൽ ഇങ്ങിനെ സഞ്ചരിച്ചു തെളിവെടുക്കണമെന്നു കൗൺസിലിൽനിന്നും പറയാതെ തന്നെ തെളിവെടുത്തിട്ടുള്ളതായി ഞാൻ ഓക്കുന്നുണ്ടു്. നംപൂതിരി ബിൽതന്നെ അങ്ങിനെയുള്ളതാണു്.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): ഇതിനുമുമ്പു് ഇതിനെപ്പററി രാജ്യം ഒട്ടുക്കു സഞ്ചരിച്ചു തെളിവു ശേഖരിച്ചിട്ടില്ലെ? മി: രാമൻതമ്പി അങ്ങിനെ തെളിവെടുത്തിട്ടില്ലെ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഇതിനുമുമ്പു് ശേഖരിച്ചിട്ടുള്ള തെളിവുകളെ അടിസ്ഥാനപ്പെടുത്തിയുള്ള തത്വങ്ങളും ആ ബില്ലിൽ കണ്ടിരുന്നു എങ്കിൽ ആ തെളിവുകളെ സ്വീകരിക്കുമായിരുന്നു. അങ്ങനെ കാണാത്തതുകൊണ്ടാണു് ആ ബിൽ തള്ളിക്കളഞ്ഞതു്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഈവിധത്തിലുള്ള ആക്ഷേപം, ഇനിയും സഞ്ചരിച്ചു ശേഖരിക്കുന്ന തെളിവുകളെപ്പററിയും റിപ്പോർട്ടിനെപ്പററിയും ഉണ്ടാകുകയില്ലെ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അങ്ങിനെ വരികയില്ല. ഉത്തരവാദിത്വമുള്ള ഒരു കമ്മററിയെ രൂപീകരിച്ചു തെളിവെടുത്തു് ഒരു റിപ്പോർട്ടു സമർപ്പിക്കുന്നതിനു വലിയ വിഷമം ഉണ്ടെന്നു തോന്നുന്നില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): അങ്ങിനെ ഹാജരാക്കുന്ന റിപ്പോർട്ടിനെ കൗൺസിൽ സ്വീകരിക്കണമെന്നു നിബന്ധനയുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതു സ്വീകരിക്കുവാനും തള്ളിക്കളയുവാനും കൗൺസിലിനു് അധികാരമുണ്ടു്. നൂതനമായ വകുപ്പുകളെ കൂട്ടിച്ചേർത്തു് ഇന്നു നിലവിലിരിക്കുന്ന സംഗതികളെ മാററി നൂതനമായി ഒരു ബിൽ രൂപീകരിച്ചു മെജാറിട്ടി അനുസരിച്ചു പാസാക്കുന്നതിനും കൗൺസിലിനു് അധികാരമുണ്ടു്.

MR. S. KRISHNA PILLAI (*Karunagapalli*): അങ്ങിനെയാണെങ്കിൽ ഈ കൗൺസിലിൽവച്ചു ബില്ലും റിപ്പോർട്ടും സംബന്ധിച്ചുള്ള വാദപ്രതി

[Mr. S. Krishna Pillai.]

വാദം നടത്തി ഇവിടെവച്ചുതന്നെ തീരുമാനിക്കുന്നതിൽ എന്താണു തരക്കേടുള്ളതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): എന്റെ അഭിപ്രായം ശരിയായ തെളിവെടുക്കണമെന്നാണു്. ൭൧-ലെ റഗുലേഷൻപ്രകാരം ജന്മിമാക്കു പൊളിച്ചെഴുത്തിനു് അവകാശം പത്തുണ്ടു്. അതു് അധികമാണോ? അതിനെ നാലാക്കുന്ന എങ്കിൽ അതു് ഏതു തത്വത്തെ അടിസ്ഥാനപ്പെടുത്തിയാണു്? പത്തു് എന്നിരിക്കുന്നതു നാട്ടുനടപ്പു് അനുസരിച്ചാണോ? എന്നീ സംഗതികളെപ്പററി അന്വേഷണം നടത്തണമെന്നാണു ഞാൻ ആവശ്യപ്പെടുന്നതു്. ജന്മിമാരും കുടിയാന്മാരും തമ്മിലുള്ള കരാറിനേയുംപററി അന്വേഷിക്കണം. ഏതെങ്കിലും ഒരു തത്വത്തെ അടിസ്ഥാനപ്പെടുത്തിവേണം നിശ്ചയിക്കാൻ. അതിനെ സ്വീകരിക്കുന്നതിനു വിരോധമില്ല. ഇപ്പോൾ "അതുരണ്ടും വേണ്ട ചെരിച്ചുളക്കുക" എന്നുള്ള നിലയിലാണു വന്നിരിക്കുന്നതു്.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): നിയമസഭാംഗങ്ങളിൽ ൨൫ പേരടങ്ങിയ സിലക്ട് കമ്മററി യാതൊരു അടിസ്ഥാനവുംകൂടാതെ കണ്ടമാനം റിപ്പോർട്ടു് എഴുതി എന്നാണോ മെംബർ പറയുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സിലക്ട് കമ്മററി അങ്ങിനെ ചെയ്തു എന്നല്ല പറയുന്നതു്.

൨൦ കൊല്ലക്കാലത്തേക്കാണു പൊളിച്ചെഴുത്തു വച്ചിരിക്കുന്നതു്. അതിനെ മുപ്പതു കൊല്ലമാക്കിയിരിക്കുന്നതു് ഏതു തത്വത്തെ അടിസ്ഥാനപ്പെടുത്തിയാണെന്നറിയുന്നില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഇങ്ങിനെ ഒരു ബിൽ കൌൺസിലിന്റെ ആലോചനക്കു വരുമെന്നു മെംബർക്കു നേരത്തേകൂട്ടി അറിയാൻ പാടില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): ഈ ബിൽ ഇപ്പോൾ ഉണ്ടെന്നു് പ്രോഗ്രാം കണ്ടപ്പോൾ മാത്രമേ മനസ്സിലായിട്ടുള്ളു.

പ്രധാനപ്പെട്ട ഈ ബില്ലിനെപ്പററി കഴിവുള്ളിടത്തോളം ആലോചനചെയ്തു് ഇരുകൂട്ടർക്കും സമാധാനകരമായ നിലയിൽ ആക്കിത്തീർക്കുന്നതുവരെ ഈ ബിൽ ആലോചനയിൽ കിടക്കുമെന്നാണു വിശ്വസിച്ചിരുന്നതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): സിലക്ട് കമ്മററി റിപ്പോർട്ടു തയ്യാറാക്കി എന്നറിയാമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): അറിയാം. സിലക്ട് കമ്മററി റിപ്പോർട്ടുതന്നെ കൌൺസിൽ സ്വീകരിക്കുമെന്നു് എനിക്കു വിശ്വാസമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഈബില്‍ ആലോചനക്കു വരുന്നതിനുമുമ്പു ജന്മവസ്തുക്കളുടെ അവകാശത്തെപ്പററി ആക്ഷേപംഉണ്ടെന്നു പരാതി കൌണ്‍സില്‍ മെംബര്‍മാര്‍ക്കു അയച്ചിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഏതെങ്കിലും ഒരൊററ മെംബര്‍ വിചാരിച്ചാല്‍ അങ്ങിനെ അയക്കാന്‍ സാധിക്കുകയില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): അതിനെപ്പററി മെമ്മോറാണ്ടം അയച്ചുകൊടുത്തിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഓരോ ദേശത്തും സഞ്ചരിച്ചു ജന്മിമാരുടേയും കുടിയാന്മാരുടേയും അവകാശങ്ങളെപ്പററി വിചാരണകഴിച്ചു തെളിവെടുക്കുന്നതിനു സാധിക്കും. ഒരു നോട്ടീസു കൊടുത്താല്‍ മതി.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ജന്മിമാരുടെ അവകാശങ്ങളേയും മററുംകാണിച്ചു അഘവൂര്‍മനയ്ക്കല്‍ നമ്പൂതിരിപ്പാട്ടും മററും ചേര്‍ന്നു മെമ്മോറാണ്ടം അയച്ചിട്ടില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഉണ്ടു്.

ജന്മിഭാഗത്തുനിന്നും അതിനെ അനുകൂലിച്ചിട്ടില്ല. അഘവൂര്‍ മനയ്ക്കല്‍ നമ്പൂതിരിപ്പാടു് അതില്‍ ഒപ്പിട്ടു എങ്കിലും അതു ജന്മിമാര്‍ക്കും കുടിയാന്മാര്‍ക്കും സര്‍വ്വത്ര ദോഷമാണെന്നു പറഞ്ഞിട്ടുണ്ടു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): ജന്മിപ്രതിനിധി റിപ്പോര്‍ട്ടിനെ നിഷേധിക്കുന്നുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതിനെ നിഷേധിക്കാനില്ല. എനിക്കും ഒരു എഴുത്തു വന്നിട്ടുണ്ടു. മേശപ്പുറത്തു് ഇപ്പോഴും കിടക്കുകയാണു്. അതിനെ സ്വീകാര്യമായി ഗണിക്കാനില്ല. കുടിയാന്മാരുടെ ഭാഗത്തുനിന്നും ഈ ബില്‍ തൃപ്തികരമല്ലെന്നു പല മെമ്മോറിയലുകളും എനിക്കു കിട്ടിയിട്ടുണ്ടു്. ജന്മിഭാഗത്തുനിന്നും കിട്ടിയിട്ടുണ്ടു്. രണ്ടുഭാഗത്തേയ്ക്കും ദോഷകരമായതുകൊണ്ടാണു് ഇതിനു മുമ്പുവന്നിട്ടുള്ള ബില്ലും ഗവണ്മെന്‍റു തള്ളിക്കളഞ്ഞതു്. ഇരുകൂട്ടര്‍ക്കും ദോഷകരമായ ഒരു ബില്‍ സ്വീകരിക്കുവാന്‍ പാടില്ല. ഈ വിഷയത്തെക്കുറിച്ചുള്ള പരിചയക്കുറവുകൊണ്ടു് ഇങ്ങനെ വന്നുചേര്‍ന്നതാണു്. എല്ലാംകൂടി കൂട്ടിച്ചേര്‍ത്തു നോക്കുമ്പോള്‍ ഇതില്‍ വലിയ ദുര്‍ഘടം ഉണ്ടെന്നു കാണാവുന്നതാണു്. ൪൨-ാമാണ്ടത്തെ തിരുവെഴുത്തുവിളംബര

[Mr. C. N. Tuppan Namputiripad]

ത്തിൽ വ്യ വകുപ്പു മാത്രമേ യുള്ളൂ. അതിന്റെ വ്യാപ്തി എത്രത്തോളമു ണ്ടെന്നു നമുക്കറിയാം. അതനുസരിച്ചു വ്യവഹാരങ്ങൾ ധാരാളമായി രുന്നു. ജന്മിമാരുടെ അവകാശങ്ങളെപ്പററി ആരംഭത്തിൽതന്നെക്ലിപ്ത പ്പെടുത്തിയിട്ടുണ്ട്. അതിന്റെ വ്യാപ്തിയെ വച്ചുകൊണ്ടാണ് ൧൧ -ാ-ലെ റെഗുലേഷൻ ഉണ്ടായിട്ടുള്ളതു്. അതുകൊണ്ടു സിലക്ററ്കമ്മിററിയി ൽ രണ്ടു കക്ഷികൾക്കും തൃപ്തികരമല്ലാത്ത ഒരു ബിൽ എങ്ങിനെയെങ്കിലും പാസ്സാക്കിയെന്നൊരു പേരുവരുത്താതെ ഇരിക്കണമെന്ന് എനിക്കുദ്ദേശ മുണ്ട്. ഞാൻ നിഷ്കളങ്കമായി എന്റെ അഭിപ്രായത്തെ തുറന്നു പ്ര സ്താവിക്കുകയാണു ചെയ്യുന്നതു്. കുടിയാന്റെ സുഭിക്ഷം ജന്മിയുടെ സുഖമാണെന്നുള്ള അഭിപ്രായക്കാരനാണു ഞാൻ. കുടിയാൻ ക്ഷേമ മായിരിക്കണമെന്നുള്ള എന്റെ അഭിപ്രായം പല അവസരങ്ങളിലും റി ക്കാർഡ്മൂലം ഞാൻ പ്രദർശിപ്പിച്ചിട്ടുണ്ട്. അതിനായി ഇന്നും പ്രവ ത്തിച്ചുകൊണ്ടിരിക്കുന്നുമുണ്ട്. കുടിയാന് ഏതെങ്കിലുംതരത്തിൽകഷ്ടപ്പാ ടു വന്നുകൊള്ളട്ടെ ജന്മിയ്ക്കു മുഴുവനും കിട്ടണംഎന്നുള്ള അഭിപ്രായം എനിയ്ക്ക് ഇതുവരെ ഉണ്ടായിട്ടില്ല. രണ്ടു കക്ഷികളും സൗഹാർദ്ദമായ നിലയിൽ പെരുമാറണമെന്നും ജന്മിക്കും കുടിയാനും സുഖമായനിലയി ൽ കഴിച്ചുകൂട്ടണമെന്നും ഉള്ള ആഗ്രഹംകൊണ്ടാണ് ഈ ബില്ല് വീ ണ്ടും ഒരു സിലക്ററുകമ്മിററിയിൽ അയയ്ക്കണമെന്ന് ഞാൻ ആവശ്യ പ്പെടുന്നതു്.

MR. P. S. MAHOMED (*Nominated*): സിലക്ററുകമ്മററിയിൽ ജന്മി മാർ ചെയ്യേണ്ട വാദങ്ങളിൽ ഏതെങ്കിലുമൊന്നു പുറപ്പെടുവിക്കാതെ ഇരുന്നിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): പല സംഗതികളും പു റപ്പെടുവിക്കാതെ ഇരുന്നു എന്നുവരാം.

MR. P. S. MAHOMED (*Nominated*): പുതുതായി വല്ലസംഗതികളും പറയാനുണ്ടോ? അന്നു പറയാതെ വല്ല സംഗതികളും വിട്ടുപോയിട്ടു ണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): അങ്ങനെ വിട്ടു പോയിട്ടുള്ളതും കാണും. കൂടുതലായി ചേർക്കേണ്ടതുംകാണും. കൌ ൺസിലിൽവച്ചു രണ്ടുകൂട്ടർക്കും തൃപ്തികരമായ ഒരു ബിൽ രൂപീകരിക്ക ണമെന്നുണ്ടെങ്കിൽ മേലാൽ കോടതികളിൽ വ്യവഹാരങ്ങൾ കുറയ്ക്കത്ത ക്കവണ്ണമുള്ള ഒരു ബിൽ രൂപീകരിക്കണമെന്നാണ് എന്റെ ഉദ്ദേശം.

അതിന ഒന്നുകൂടി വിചാരണചെയ്തു തെളിവു ശേഖരിക്കുന്നതിനവലിയ ബുദ്ധിമുട്ടുണ്ടെന്നു തോന്നുന്നില്ല. ഒന്നുകൂടി വിചാരണചെയ്തു തെളിവുശേഖരിച്ചു ബിൽ രൂപീകരിക്കുന്നതായാൽ രണ്ടുകൂട്ടർക്കും ശരിയായ സമാധാനത്തിന് അവകാശമുണ്ട്. പുതുതായിതെളിവെടുക്കുന്ന അവസരത്തിൽ ജന്മിമാരുടേയും കുടിയാന്മാരുടേയും പുതിയ ആശയങ്ങൾ അനുസരിച്ചു മൊഴികൊടുക്കുന്നു എങ്കിൽ ആ തെളിവുകളേയുംകൂടി സ്വീകരിക്കാവുന്നതാണ്. ഈബിൽ തയ്യാറാക്കുന്നതിന നിശ്ചയിച്ച കൗൺസിൽ അംഗങ്ങൾ തന്നെ ഇപ്പോൾ മാറിപ്പോയിരിയ്ക്കുന്നു. ഇപ്പോഴത്തെ നിലയ്ക്ക് പൂർണ്ണമായവിവരങ്ങൾ മനസ്സിലാകാത്ത അംഗങ്ങളും ഉണ്ടായിരിക്കാവുന്നതാണ്. അവർക്കും കൂടി കാര്യം മനസ്സിലാകത്തക്കവണ്ണം തെളിവു ശേഖരിക്കേണ്ടതു് അത്യാവശ്യമാണ്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇനിമേൽ തെളിവുശേഖരിക്കുന്നതിനായി സഞ്ചരിച്ചു വ്യവസ്ഥപ്പെടുത്തിവരുമ്പോൾ ഈ കൗൺസിലിലെ അംഗങ്ങളും മാറിപ്പോവുകയില്ലെ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഈ ബിൽ ഇന്നസമയത്തുതന്നെ പാസാക്കണമെന്നു വിചാരിക്കുന്നില്ല. സമാധാനം ഉണ്ടാകത്തക്കവിധത്തിൽ ബിൽ പാസാക്കണമെന്നേയുള്ളൂ. മി: രാമവർമ്മരാജാ ഈ ജന്മികുടിയാൻ വഴക്കുതീർക്കുന്നതിന് ഒരു വഴി ഇതിനു മുമ്പു പ്രസ്താവിക്കയുണ്ടായി. അതിനോടു ഏതാണ്ടു അനുകൂലിച്ചു പറവൂർനിന്നും ഒരു മെമ്മോറിയൽ ഞാൻ കണ്ടു. ആ മെമ്മോറിയലിൽ കമ്മററിറിപ്പോർട്ടിനേയും ബില്ലിനേയും നിഷേധിച്ചിരിക്കുന്നു. രണ്ടുകൂട്ടർക്കുംസമാധാനകരമല്ലാത്തനിലയിൽ ബിൽ പാസാക്കാൻ പാടില്ല. ഈ ബിൽ ഈ രാജ്യത്തെ സാമ്പത്തികനിലയെ കൂടി ബാധിക്കുന്നതാണെന്നുള്ള സംഗതികൂടെ ആലോചിച്ചു വീണ്ടും ഒരു സെലക്ററ്കമ്മിററിക്ക് അയച്ചു വിചാരണനടത്തി റിപ്പോർട്ടുവാങ്ങിക്കുന്നതിന് ഈ കൗൺസിലിലെ മെമ്പേർസിൻെറ കാരുണ്യത്തെ ഞാൻ ക്ഷണിച്ചുകൊള്ളുന്നു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഇനി പുതുതായി നിയമിക്കുന്ന കമ്മററിയിൽ നിന്നും തെളിവെടുത്തു് ആവശ്യമെന്നുതോന്നുന്ന ഭേദഗതികളോടുകൂടി രൂപീകരിക്കുന്ന ബില്ലിനു യാതൊരുവിരോധവുംപറയാതെ ജന്മിഭാഗത്തുനിന്നും സ്വീകരിച്ചുകൊള്ളുമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഇങ്ങനെ ഒരു ചോദ്യം ചോദിക്കുമെന്നു ഞാൻ വിചാരിച്ചിരുന്നില്ല. ഇന്നവിധത്തിൽചെയ്യണമെന്ന് ഏർപ്പാടുചെയ്യാം. അതനുസരിച്ചു സാധിച്ചുതരാമോഎന്നു

[Mr. C. N. Tuppan Namputiripad]

എന്നെക്കൊണ്ടു പ്രതിജ്ഞചെയ്യിക്കണമെന്നു നിർബന്ധമുണ്ടോ. അങ്ങിനെ നിർബന്ധമുണ്ടെങ്കിൽ—ഈ കൌൺസിലിന് അങ്ങിനെ അഭിപ്രായമുണ്ടെങ്കിൽ—നിശ്ചയമായും ഞാൻ അതിനു കീഴടങ്ങിക്കൊള്ളാം.

MR. V. N. JATAVEDAN NAMPUTIRIPAD (*Co-opted*): മിസ്റ്റർ തുപ്പൻ നമ്പൂതിരിയുടെ അഭിപ്രായത്തോടുകൂടി ഞാൻ യോജിച്ചുകൊള്ളുന്നു. അദ്ദേഹം ൧൦൭൧-ലെ ൫-ാം റഗുലേഷനിൽ വലുതായ വ്യത്യാസം വരുത്താൻപാടില്ല എന്ന് സിലക്ട്കമ്മിററിയിൽപറഞ്ഞു. അതു് തള്ളിപ്പോയി. ദിവാൻ രാജഗോപാലാചാരിഅവർകളുടെ പ്രൊസീഡിംഗ്സ് അനുസരിച്ചാണ് രാമൻതമ്പിയുടെ നേതൃത്വത്തിൽ ഒരു കമ്മിററി ഏർപ്പെടുത്തി അന്വേഷണം നടത്തിയിട്ടുള്ളതു്. ആ പ്രൊസീഡിംഗ്സിൽ ൧൦൭൧-ലെ റഗുലേഷനിൽ കൂടുതലായ ഭേദഗതികൾ വരുത്തിക്കൂടാ എന്ന് പറഞ്ഞിട്ടുണ്ടായിരുന്നു. മി: തുപ്പൻനമ്പൂതിരിയും ആ സംഗതിയെപ്പററിയാണ് പറഞ്ഞതു്. ഇന്ന് നിലവിലിരിക്കുന്ന ജന്മികുടിയാൻ റഗുലേഷനിൽ വലുതായ ഭേദഗതികൾ വരുത്താൻപാടില്ലെന്നു ഒരു അമൻറുമെൻറ് സിലക്ട്കമ്മിററിയിൽ കൊണ്ടുവന്നു. രാമൻതമ്പി വിചാരണ നടത്തിയ തെളിവുകൾ ഒന്നും അവിടെ ഉണ്ടായിരുന്നില്ല. ഓരോ ദേശത്തേയും നടപ്പ് വേറെ വേറെയാണ്. അതാതു ദേശങ്ങളിലെ നടപ്പ് അതാതു സ്ഥലങ്ങളിൽപോയി ജനങ്ങളെ വിസ്തരിച്ച് തന്നെ മനസ്സിലാക്കണം. രാമൻതമ്പിയുടെ റിപ്പോർട്ടുകാലത്തു് നടപ്പുകളെ എങ്ങിനെ ഏകീകരിക്കാമെന്ന് കണ്ടുപിടിച്ചിട്ടില്ലായിരുന്നു. അതുകൊണ്ടു് ആ റിപ്പോർട്ടു തള്ളിപ്പോയി.

രണ്ടാമതായി ഓരോ കോടതികളിലും ഈ സംഗതികളെപ്പററി വിസ്തരിക്കുമ്പോൾ കേവലം ഒരു വകുപ്പിനെനോക്കിമാത്രം അതിനെ തള്ളാൻപാടില്ല. ഭൂമിയുള്ളകാലംവരെ ജന്മിയും കുടിയാനും അനുഭവിക്കേണ്ട ഒരു കാര്യമാണ് ഇതു. അതുകൊണ്ടു് ഒരു ചട്ടത്തെ അടിസ്ഥാനമാക്കിമാത്രം നിശ്ചയിക്കാൻപാടില്ല. കാണാവകാശത്തെ സംബന്ധിച്ചു ഹൈക്കോടതിവിധികൾ ഉണ്ടായിട്ടുണ്ടു്. ഇതുവരെയുള്ള ഹൈക്കോടതിവിധികൾകൊണ്ടും ൪൦-ലെ തിരുവെഴുത്തു വിളംബരം അനുസരിച്ചും അല്ലാതെ മേലാൽ ഭേദഗതികൾ ചെയ്യാൻപാടില്ലെന്ന് ദിവാൻ രാജഗോപാലാചാരി അവർകളുടെ പ്രൊസീഡിംഗ്സിൽ കാണുന്നുണ്ടു്. ഹൈക്കോടതി വിധികളേയും ദേശനടപ്പിനേയും അനുസരിച്ചാണ് ചട്ടം ഉണ്ടാക്കേണ്ടതു്. അതുകൊണ്ടു് തുപ്പൻനമ്പൂതിരിയുടെ അഭിപ്രായത്തെ ഞാൻ പിൻതാങ്ങുന്നു.

—

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : Sir, I beg to support the amendment by Mr. Tuppan Namputiripad. The amending Bill is intended to make some changes in the V Regulation of 1071 and that Regulation was meant to regulate the proceedings between the jenmies and the Kutiyans in connection with the rights given to the tenants by the Proclamation of 1042. The rights given by this Proclamation expressly provided that these rights were given because public benefit largely required giving fixity of tenure to the tenants and also because it would not cause any hardship to the jenmies since they would not require their lands for cultivati in purposes. The commission, appointed under the presidency of Mr. Kunjuraman Nayar who prepared the Regulation of 1071, elaborately enquired into the customs prevalent throughout Travancore and prepared the Bill which later on became Regulation V of 1071. Almost all the points necessary for working out the relation between the jenmies and the kutiyans have been established by the Regulation V of 1071.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know how all these things relate to the amendment for the recommittal of the Bill?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : I am trying to point out what should be the essential considerations to be borne in mind by a Select Committee when considering such a Bill.

Thus the Regulation V of 1071 has declared what are to be the relations between the jenmies and the tenants; and it is not proper for succeeding legislators to alter these rights.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Does the member know the legal import of the expression "Amendment Regulation"?

MR. RAMAN NAMPUTIRIPAD (*Co-opted*) : I think I do understand it.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : So, what does the member mean when he says that the old Regulation ought not be amended? Amendment Regulation means that an amendment of the old Regulation is to be made.

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : The House has got the power, but certain well-established principles which ought to be borne in mind should control the exercise of the power.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : Can they not be advanced here and the Amending Bill passed without recommitting it to a Select Committee?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : I think it is not in the interest of the public well-being to disturb the relations established between the jenmies and tenants so often and often as to deprive the jenmies of the feeling of security which the advocates of tenants are always demanding for themselves.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : The member has not answered me. My question is whether it would not be better to have the whole principle advocated here and get these things amended here before the House without waiting for a Select Committee to be created afresh ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : I beg to submit that is not the proper procedure.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : I wish to know how ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is the member opposed to all the amendments of the existing Regulation of 1071 ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : Legally, I say, that I can oppose all these.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is that the view that the member wants this House to accept ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : No. Any of the provitions connected with the paying of the michavaram may be amended, all others concerning money rights provided to the jenmi must be left in tact.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is the member agreeable to the proposal that the Bill itself might be considered by this House, and that if the House is satisfied that these amendments should not be made it might throw out the Bill ?

Is the member agreeable to that course being adopted ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : I beg to be informed whether I can speak in Malayalam.

PRESIDENT : If you find it difficult to talk in English, there is absolutely nothing standing in the way of your talking in Malayalam.

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ജന്മവസ്തുക്കളിൽനിന്നും ജന്മിമാൎക്ക് പണം കിട്ടുന്നതിനെസംബന്ധിച്ച് നിയന്ത്രിച്ചിട്ടുള്ള വ്യവസ്ഥകളിൽ യാതൊരു കുറവും വരുത്താതെ ഭേദഗതിചെയ്യുന്നതായാൽ അതു് ജന്മിമാൎക്കു സമ്മതമായിരിക്കുമൊ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): റൌണ്ട് ടേബിൾ കാൺഫറൻസിന്റെ തീരുമാനം അനുസരിച്ച് ചെയ്വാൻ സമ്മതമാണൊ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ഇതിനെ സംബന്ധിച്ച് റൌണ്ടു ടേബിൾകാൺഫറൻസിൽവച്ച് ചെയ്ത തീരുമാനം ശരിയായ തത്വമനുസരിച്ചല്ലെന്നാണ് എന്റെ അഭിപ്രായം.

MR. S. KRISHNA PILLAI (*Karunagapalli*): അതുകൊണ്ട് ബിൽ തള്ളണമെന്നാണൊ മെംബരുടെ അഭിപ്രായം?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): കോടതി വ്യവഹാരങ്ങളിൽതന്നെ ഒരു കുറവു വരുന്നതു് ഏറക്കുറെ ഒരു വലിയ ലാഭമായി വിചാരിക്കാൻ തരമില്ലെ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*). അങ്ങിനെ വിചാരിക്കാമെന്നല്ല എന്റെ അഭിപ്രായം. പണം സംബന്ധിച്ച നിബന്ധനകളെ മാത്രം ഒഴിച്ചുവച്ചിട്ട് ബാക്കിയുള്ള കാര്യങ്ങളെപ്പററി മാത്രമേ ആലോചിക്കാവൂ എന്നാണ് എനിക്ക പറയുവാനുള്ളത്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതിനെ ഒഴിച്ചാൽ പിന്നെ എന്തെങ്കിലും കാര്യം അതിലുണ്ടോ?

PRESIDENT: Do you mean that questions of procedure alone might be taken up for amendments leaving fundamental rights and liabilities as they are? Is that your point.

MR. N. RAMAN NAMPUTIRIPAD (*Co opted*): Yes, Sir.

PRESIDENT: The House will now rise and meet again tomorrow at 11-30 a. m.

The Council adjourned at 5-5 P. M. to meet again at 11-30 A. M. the next day.

P. VISWANATHA IYER,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

Thursday, the 17th December 1931/2nd Dhanu 1107.

The Council met in the Victoria Jubilee Town Hall, at eleven forty-two of the Clock, the President, V. S. Subrahmonia Aiyar Esquire, B. A., B. L., presiding.

The following members were absent.

1. Mr. K. Padmanabha Panikkar.
2. Mrs. Anna Chandy.
3. Mr. K. Narayanaperumal Nadar.

QUESTIONS AND ANSWERS.

Appointment of an Assistant Surgeon with qualification in Tropical Diseases.

21. **MR. RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state:

(*a*) whether it is a fact that they have sanctioned the appointment of an Assistant Surgeon with special qualification in Tropical Medicines for treating leprosy and do research work in it;

(*b*) how many have applied for it with the date of each application;

(*c*) whether anybody has been appointed;

(*d*) if so, the date of appointment;

(*e*) the qualifications of the several applicants; and

(*f*) if none has been appointed, the reason for the same?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) The Government have sanctioned the appointment of an Assistant Surgeon on Rs. 100 (one hundred), per mensem, temporarily for one year, to control and supervise the work of the Sub-Assistant Surgeons in charge of the Leprosy Clinics and treatment centres at various places.

(*b*) Four.

Name.		*Date of application.*
Mr. Josia Joseph	...	10-9-1930.
„ K. Subrahmanya Aiyar	...	14-4-1931.
„ G. Nilakantan Unnittan	...	25-7-1931.
„ P. C. Varghese	...	6-6-1931.

(*c*) No.

(*d*) This does not arise, in view of the answer to part (*c*)

(*e*) Mr. Josia Joseph—L. M. S., and special course of studies in leprosy and other skin diseases under Dr. E. Muir, M. D., F. R. C. S., Leprosy Research Worker.

Vol. XX. No. 2.
G. P. T. 1757. 300. 1-9-1107.

[Mr. C. O. Madhavan.]

Mr. K. Subrahmanya Aiyar—M. B. B. S.

Mr. G. Nilakantan Unnittan, B. A., M. R. C. S. (Eng.), L. R. C. P. (Lond.), D. T. M. & H., special course in Tropical Diseases and Certificate in Tropical Medicine and Hygiene, awarded by the London School of Tropical Medicine and Hygiene and special course in the London Ophthalmic Hospital and at the University College Hospital, London.

Mr. P. C. Varghese—L. M. & S., Ag. Assistant Surgeon in the Department from Meenam 1103.

(*f*) Mr. Josia Joseph, L. M. & S., who was selected for the post, refused to accept the same on the pay offered. The Government then considered it best to train an officer from the Department. Mr. P. C. Varghese, an Ag. Assistant Surgeon, has been selected and he has proceeded to Calcutta to get himself trained at his own cost. The appointment will be made as soon as he returns after training.

First section of the Kayankulam Kartikapalli road.

22. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state :

(*a*) whether any estimate has been prepared for the first section of the Kayankulam-Kartikapalli road for which provision was made in the Budgets for 1105 and 1106 ;

(*b*) the length of the first section referred to above and the estimated expenditure for the same ; and

(*c*) if the first section extends beyond the Pullukulangara temple, the estimated expenditure for the road up to Pullukulangara ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) The first section is three miles long and is estimated to cost Rs. 33,634.

(*c*) It extends beyond Pullukulangara up to the backwater. The portion up to Pullukulangara is approximately estimated to cost Rs. 19,800.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With regard to the answer to part (*a*), may I know when the estimate was prepared for that section of the road ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Does the member want the date of the original rough estimate or of the latest revised estimate ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I want the date of the revised estimate.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Governmet*): It was prepared during the latter half of 1931.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): When was the original estimate prepared ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The original rough estimate was prepared on 8/11/1929.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What was the necessity for a revised estimate?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The first estimate was found to be defective in certain respects.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If the estimate was prepared before 1107, may I know why the work was not included in the budget for 1107?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Financial stringency.

Construction of a culvert on the Charumood-Mankakuzhi road.

23. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*) Will the Government be pleased to state:

(*a*) whether the Chief Engineer has received a petition dated the 14th Meenam 1106 from the people of Chunakkara for the construction of a culvert on the road going eastwards from the 1st mile of the Charumood-Mankakuzhi road; and

(*b*) if the answer to part (*a*) is in the affirmative, the action taken on the same?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) Yes.

(*b*) Investigation for the improvement of this road by providing proper masonry works in the paddy field portions is being carried out by the Public Works Department.

Construction of a lock at Poottodu.

24. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state whether the question of constructing a temporary lock at Poottodu, Mahadevikad, Kartikapalli, was considered by the officers of the Public Works Department and estimates prepared?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes. An estimate is under preparation.

Travelling allowance of covenanted officers.

25. **MR. RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state:

(*a*) whether they have made any reduction in the rate of travelling allowance allowed for covenanted officers as they have done in the case of other officers; and

(*b*) if the answer to part (*a*) is in the negative, the reason for not doing it?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*

(*a*) Yes.

(*b*) This does not arise, in view of answer to part (*a*) above.

Gravelling of the Haripad-Ela njimel road.

26. MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(*a*) the portions of the Haripad-Elanjimel road that have been gravelled;

(*b*) the portions of the above-said road for which estimates have been sanctioned by the Government; and

(*c*) whether they are aware that the gravelling of the portion of the above-said road from Kuttanperur *kadavu* to the Mavelikara-Tiruvalla road will be of sufficient benefit to the people only if the next western section up to the ferry in the *punja* fields is also gravelled?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) No portion of the village road has so far been improved or gravelled.

(*b*) An estimate for Rs. 12,330 for the portion from Haripad to Anjilimoottil *kadavu* has been sanctioned.

(*c*) Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With regard to the answer to part (*c*), may I know why the gravelling of the road, from the Mavelikara-Tiruvella road westwards, is not taken up?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The original road passed through certain roads, adjacent to a temple, which were not open to all sections of the public. Therefore, they had to divert it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Which is that temple, please?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Mullappakulangara temple.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): My question relates to another part of the Haripad-Elanjimel road. The Mullappakulangara temple is not in the part of the road which I am referring to in part (*c*) of my question. Part (*c*) relates to a road in the Tirupperunthura pakuthi.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It is only after the first section of the road is taken up and finished that the other sections can be taken up.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In regard to this road a portion has been finished. I wish to know why the remaining portion of the road has not been taken up and finished?

PRESIDENT: The answer to part (*a*) of your question states "*No portion of the village road has so far been improved or gravelled*".

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That answer is not correct.

PRESIDENT: In the light of that answer, your present question does not arise. The answer clearly says that nothing has been done.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With regard to the answer to part (*a*) of my question, are the Government aware that the portion of the road from Kuttenperur Kadavu to the Mavelikara-Tiruvella road is gravelled?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Government are not aware.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether the answer was prepared by the Chief Engineer?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is there no provision for the maintenance of that portion of the road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I claim notice.

Gravelling of certain roads in Mavelikara and Kartikapalli taluks.

27. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state the progress made with regard to the gravelling of the following roads:—

(i) the Haripad-Veeyapuram road;
(ii) the road from Haripad to Anjilimoottil *kadavu*;
(iii) the Oachira-Tamarakulam road; and
(iv) the Anandapalli-Kaipattur road *via* Thatta?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The gravelling of the respective roads has not been taken up for the following reasons:—

Road No. (i)—Encroachments on either side of the road have not been removed.

Road No. (ii)—The alignment of the road has not been finally settled.

Road No. (iii)—The work has been ordered to lie over as it is not urgent.

Road No. (iv)—An estimate for Rs. 4,250 submitted by the Division Officer, Quilon, is under scrutiny in the Chief Engineer's Office.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With regard to part (iii), may I know by whom the work was considered as *not urgent*?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): By the P. W. D. authorities on the spot and by the Chief Engineer.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether an allotment for this purpose was not made in the budget for 1106?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): With regard to the third item?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether the Executive Engineer has inspected the road mentioned in part (iii)?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The information is not available; I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know then, on whose local inspection is the report (that this work is not urgent) based?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I claim notice.

Construction of a bridge at Pulikizh.

28 MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(*a*) whether steps are being taken to construct a bridge at Pulikizh on the Mavelikara-Trikkunnapuzha road as it is many years since the old bridge has fallen into disrepair; and

(*b*) if the answer to part (*a*) is in the negative, the reason for the same?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) No.

(*b*) The road beyond the Pulikizh crossing being only a foot path and the ferry now maintained at the place being found sufficient to answer the present needs of the people, there is no proposal to construct a bridge now.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it on the report of the P. W. D. authorities that the answer to part (*b*), that there is only a foot-path beyond the Pulikizh crossing on the Mavelikara-Trikunnnpuzha road, has been framed?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Gooverment*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether anybody has inspected that place and ascertained whether there is a gravelled road there?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*); There is a gravel road only on the eastern side of the crossing.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I wish to know whether the authorities are sure that there is no gravel road on the western side.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know on whose report this answer has been framed?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The report of the Chief Engineer.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Are the Government aware that formerly there was a bridge at the Pulikizh crossing?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Has the place become less important now so that a bridge there is considered to be unnecessary?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The P. W. D. authorities are of opinion that the ferry there is quite sufficient to meet the requirements of the people.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) Is it on the ground that the crossing is less used by the public now that a bridge there is considered unnecessary?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) That is a matter of opinion.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I wish to know whether the opinion that a bridge there is unnecessary is based on the impression that the place has become less important or that the crossing is less used by the public.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I have already stated on what ground the opinion is based. The P. W. D. reports that the ferry there serves the needs of the people.

Public works in the Kartikapalli and Mavelikara taluks.

29. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state :

(*a*) whether instructions have been issued by them or the Chief Engineer that some of the public works for which provision is made in the Budget for 1107 need not be executed this year (1107); and

(*b*) if the answer to part (*a*) is in the affirmative, the names of the works in Mavelikara and Kartikapalli taluks with reference to which such instructions have been issued?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) and (*b*) Allotments for some of the public works for which provision has been made in the Budget for 1107 have been surrendered fully on account of financial stringency. Such works in the taluks of Mavelikara and Kartikapalli are :—

(i) The acquisition of the land for widening the eastern approach to the Thazhakara bridge on the first mile of the Mavelikara-Trikkunnapuzha road.

(ii) Easing the curves on the Quilon-Alleppey road, mile 23/4 to 24th mile.—

The Trikkariyur temple road.

30. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state :

[Mr. K. P. Abraham.]

(*a*) whether any petition was received for opening a road, about 1½ miles in length, from the Trikkariyur temple to the 8th mile of the High Range road, the petitioners undertaking to surrender the lands required for the road; and

(*b*) if so, how the petition was dealt with?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Yes. A petition was received by the Chief Engineer through the member on the 12th August 1931.

(*b*) It has been forwarded to the Division Officer for report.

Expenditure on Salaries of certain officers in 1106.

31. MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to lay on the table a statement showing the aggregate amount of salaries paid in 1106 to—

(i) officers whose pay is Rs. 200 and above per mensem;
(ii) officers whose pay ranges from Rs. 40 to Rs. 199; and
(iii) officers whose pay is Rs. 39 and below?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): (i), (ii) and (iii). The information is not available, since expenditure on Salaries and Establishment is not classified and booked according to the pay of the officers.

For a classified statement of the Budget provision for 1107 under Salaries and Establishment, the member is referred to page 206 of Vol. XIX of the *Travancore Legislative Council Proceedings.*

Revenue and expenditure of the State in 1106.

32. MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to lay on the table a statement showing the actual revenue and the actual expenditure of the State in 1106?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*)

		Rs.
Actual Revenue (ordinary) in 1106	...	2,27,18,019
Actual Expenditure (ordinary) in 1106	...	2,39,41,106

Expenditure on salaries and pensions in 1106.

33. MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state the actual amount spent in 1106 on—

(i) Salaries; and
(ii) Pensions?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*):

		Rs.
(i) Expenditure on Salaries and Establishment	...	89,09,786
(ii) Expenditure on Pensions (including Military and Political Pensions)	...	13,23,074

Travelling allowances drawn in 1106 by officers on Rs. 200 and above.

34. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state the amount of travelling allowances drawn in 1106 by officers whose pay is Rs. 200 and above per mensem?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The information is not available, as the travelling allowance drawn by officers on Rs. 200 and above per mensem is not separately booked.

Constructional Engineering Firm in Travancore.

35. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): (1) Are the Government aware of the existence of any constructional engineering firm in Travancore?

(2) If so, will they be pleased to lay on the table a list of such firms?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (1) and (2). No list of constructional engineering firms operating in Travancore is maintained by the Government or by the Public Works Department. But the following firms undertaking constructional engineering works have however come to the notice of the Public Works Department:—

(1) Messrs. Harrisons and Crosfield Ltd., Quilon.
(2) ,, Phattack & Co., Trivandrum.
(3) ,, P. M. Engineering Company, Trivandrum.
(4) The Indian Engineering Company, Trivandrum.
(5) Messrs. Charry & Co., Trivandrum.

Issue of copies of the Gazette to Firms outside the State.

36. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state whether copies of the *Government Gazette* are sent to any firms outside Travancore?

MR. K. GEORGE (*Chief Secretary to Government*): The answer is in the negative.

Bench Magistrate's Court at Vaikam.

37. **MR. A NARAYANA PILLAI** (*Vaikam*): Will the Government be pleased to state:

(*a*) whether the District Magistrate, Kottayam, has suggested the formation of a Bench Magistrate's Court at Vaikam; and

(*b*) the action taken by them on that report?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) The suggestion is under the consideration of the Government.

MR. A. NARAYANA PILLAI (*Vaikam*): ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിന്റെ റിപ്പോർട്ടു എന്നു കിട്ടി എന്നു പറയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): The draft answer to the interpellation came up on the 5th December 1931, and there was a previous report of his, to the Financial Secretary, dated 29th Kanni 1107.

MR. A. NARAYANA PILLAI (*Vaikam*): രണ്ടാമത്തു ഒരു റിപ്പോർട്ടിന്റെ ആവശ്യംവന്നതെന്തു കൊണ്ടാണെന്നു പറയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): To answer this interpellation.

MR. A. NARAYANA PILLAI (*Vaikam*): ആദ്യം ഒരു റിപ്പോർട്ടുകിട്ടി. പിന്നീടു രണ്ടാമതും ഒരു റിപ്പോർട്ടു വരുത്തി എന്നു പറയുന്നു.

MR. K. GEORGE (*Chief Secretary to Government*): It was with special reference to this interpellation that the report was called for.

MR. A. NARAYANA PILLAI (*Vaikam*): അവിടെ ബഞ്ചു മജിസ്ത്രേട്ടു കോടതി വേണമെന്നുള്ള അഭിപ്രായമുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): It is stated in the answer. It is under the consideration of Government.

MR. A. NARAYANA PILLAI (*Vaikam*): ഈ ആലോചന ബഞ്ചുമജിസ്ത്രേട്ടുകോടതി വേണമോ എന്നുള്ള ആലോചനയോ അതല്ല അതു എന്നു സ്ഥാപിക്കണമെന്നുള്ള ആലോചനയോ?

MR. K. GEORGE (*Chief Secretary to Government*): The question whether it is necessary or not is itself under the consideration of the Government.

Tenders for the supply of stationery articles to Government in 1106.

38. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Regarding contracts for the supply of stationery articles to the Government last year (1106), will the Government be pleased to state:

(*a*) the names of those who had given tenders;
(*b*) their rates; and
(*c*) the names of those whose tenders were accepted by them?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) A list * of those who had given tenders for the supply of stationery articles to the Government last year is laid on the table.

(*b*) As there were over two hundred items and as the total number of quotations was about 1100, it is impracticable to furnish the rates asked for.

(*c*) A list † of those whose tenders were accepted is laid on the table.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether the Government are sure that the tenders that have been accepted are those of the lowest rates?

MR. K. GEORGE (*Chief Secretary to Government*): They are the lowest rates consistent with the quality of the articles which have been accepted.

Engagement of Mr. C. S. Swaminatha Sastri for conducting prosecutions before the Quilon Sessions Court.

39. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state:

---

* *Vide* Appendix A—page 98.　　† *Vide* Appendix B—page 99.

(a) whether they had engaged Mr. C. S. Swaminatha Sastri, retired Sirkar Vakil, for conducting on behalf of the Government any prosecutions before the Quilon Sessions Court;

(b) the amount paid to him for the same; and

(c) the reasons why the Sirkar Vakils at Quilon were not asked to conduct the said prosecutions?

MR. K. GEORGE (*Chief Secretary to Government*): (a) Yes, in Sessions cases Nos. 3, 4 and 5 of 1107 on the file of the Quilon Sessions Court.

(b) The payment of a fee of Rs. 400 has been sanctioned to him by the Government.

(c) Mr. Swaminatha Sastri had handled the cases in the lower court and had mastered the details of the departmental procedure and the mass of records connected with the cases. It was therefore thought advisable, in the best interests of the Government, to appoint him as Public Prosecutor for the conduct of the cases in the Sessions Court also, in preference to the Sirkar Vakil, Quilon.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know whether the appointment of Mr. Swaminatha Sastri as Public Prosecutor, has been made in pursuance of the provisions of the Criminal Procedure Code?

MR. K. GEORGE (*Chief Secretary to Government*). The appointment has been made by the District Magistrate.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Yes; I am asking whether, in making that appointment, the provisions of the Criminal Procedure Code have been adhered to?

MR. K. GEORGE (*Chief Secretary to Government*): I have not got information on that point; I claim notice.

Appointments made in the Revenue Department during 1105 and 1106.

40. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of appointments made during 1105 and 1106 in the following offices of the Revenue Department and the number of Muslims who got such appointments:—

(i) Division Cutcherries; and

(ii) Taluk Cutcherries?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The information required is given below:—

(i) DIVISION CUTCHERRIES

Year.	*Total No. of appointments made.*		*No. of Muslims appointed*	
	Permanent	*Temporary*	*Permanent*	*Temporary*
1105	6	8	...	...
1106	5	7	1	...

TALUK CUTCHERRIES

Total No. of appointments made.		*No. of Muslims appointed.*	
Permanent	*Temporary*	*Permanent*	*Temporary*
11	14	2	...
2	17	...	...

MR. P. S. MAHOMED (*Nominated*) : ഡിവിഷൻ കച്ചേരിയിൽ ൧൦൭-ലും ൧൦൯-ലും കൂടി ൧൭ ടെമ്പററി നിയമനങ്ങൾ നടത്തിയതിൽ മഹമ്മദീയർ ആരുമില്ലെന്നു കാണുന്നു. അതിനു വല്ല പ്രത്യേക കാരണങ്ങളുമുണ്ടോ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): കാരണങ്ങളൊന്നും ലാൻഡ് റവന്യൂ കമ്മീഷണർ പറഞ്ഞു കാണുന്നില്ല.

MR. P. S. MAHOMED (*Nominated*): താലൂക്കുകച്ചേരിയിൽ ൩൧ ടെമ്പററി നിയമനങ്ങൾ നടന്നതിലും മഹമ്മദീയരാരുമില്ലെന്നു കാണുന്നു. അതിനു വല്ല പ്രത്യേക കാരണവുമുണ്ടോ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): അപേക്ഷകന്മാരുള്ളതായിട്ടു പറയുന്നില്ല. അതിനാൽ അപേക്ഷകന്മാരില്ലാതിരുന്നതുകൊണ്ടു നിയമിച്ചില്ല എന്നു വരാം. റിപ്പോർട്ടിൽ അതിനെപ്പററി ഒന്നും പറഞ്ഞു കാണുന്നില്ല.

MR. P. S MAHOMED (*Nominated*) : സ്ക്രൂട്ടിനൈസ് ചെയ്ത അവസരത്തിൽ ഗവൺമെൻറു അതിനെ സംബന്ധിച്ചു ചോദിച്ചിട്ടുണ്ടോ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): ആ ചോദ്യത്തിനു നോട്ടീസ് വേണം.

Working of the Pattanamtitta Taluk Co-operative Bank.

41. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state :

(*a*) whether the Registrar of Co-operative Societies has detected any cases of misappropriation or other irregularities in the working of the Pattanamtitta Taluk Co-operative Bank; and

(*b*) if the answer to part (*a*) is in the affirmative, the action taken thereon?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The Inspector of Co-operative Societies who audited the accounts of the Pattanamtitta Taluk Co-operative Bank, Ltd., No. 798, detected some irregularites and he has reported the same to the Registrar of Co-operative Societies.

(*b*) An enquiry under Section 34 of the Co-operative Societies Regulation, X of 1089, was deemed desirable and a sub-committee was empowered under the Section to hold the enquiry and submit a report.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): With regard to part (*b*), may I know from the member whether the members of the sub-committee, constituted to enquire into the question, are not the same gentlemen who were responsible for the irregularities which form the subject of the enquiry?

PRESIDENT : Has it been found that the members of the sub-committee are responsible for the irregularities?

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Then, may I know who is responsible for the irregularities?

PRESIDENT : That is exactly what the sub-committee is trying to find out.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) : The members of the sub-committee *are* the persons responsible for these irregularities.

PRESIDENT : That is *your* opinion.

Complaints against the Co-operative Inspector, Pattanamtitta taluk.

42. **MR. K. KRISHNAN NAIR** (*Pattanamtitta*) : Will the Government be pleased to state :

(*a*) whether the Registrar or Co-operative Societies has received any complaints from the people against the Co-operative Inspector at Pattanamtitta, and, if so, what action has been taken upon them ; and

(*b*) how long the present (12-4-1107) Inspector has been at Pattanamtitta ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) :

(*a*) The answer in the negative

(*b*) The present Inspector has been at Pattanamtitta for 8 years from the 26th Vrischikam 1099.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) With regard to part (2), may I know from the member whether it is advisable to keep an officer for such a long time in one place ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) ; So far as the Co-operative Department is concerned, it is considered not undesirable to have, as their officers, men who have gained local experience in one and the same place for years together.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) ; But, so far as this particular officer is concerned, as has been stated in the answer, he has been at Pattanamtitta for the last eight years. May I know whether the Government will consider the question of giving him a transfer from there ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : The head of the department will be asked with regard to that.

Ryots' roads in the Pattanamtitta taluk.

43. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*) : Will the Government be pleased to lay on the table a statement showing ;

(*a*) the mileage of ryots' roads in Pattanamtitta taluk which were requested by the people to be taken up by the Government for maintenance during the last five years (1102-1106) ; and

(*b*) the mileage of roads already taken up for maintenance ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) :

(*a*) The information is not available.

(*b*) 9¼ miles.

Shifting of the Vernacular School, Punalur, from its present site.

44. **MR. S. CHATTANATHA KARAYALAR** (*Pattanapuram cum Shencotta*) : Will the Government be pleased to state :

(*a*) whether there is a proposal to shift the Vernacular School at Punalur from its present location ;

(*b*) whether a new site has been proposed to be acquired for the school building ;

[Mr. S. Chattanatha Karayalar.]

(c) if so, when the site will be acquired; and

(d) when the school will be shifted from its present site?

MR. K. GEORGE (*Chief Secretary to Government*): (a) Yes.

(b) More sites than one have been proposed, but one has not been agreed upon.

(c) and (d) The acquisition of a new site and the construction of a building thereon can be taken up only after the present financial situation improves.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): With reference to the answer to part (a) may I know how long the proposal was before the Government?

MR. K. GEORGE (*Chief Secretary to Government*): About five years.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): May I know what was the ground urged in favour of the proposal for shifting?

MR. K. GEORGE (*Chief Secretary to Government*): Inadequacy of the present site and the necessity for a larger building for that school.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) With reference to the answer to part (b), what was the difficulty in fixing upon a particular site for a period of five years?

MR. K. GEORGE (*Chief Secretary to Government*): There was some difficulty. One site was first selected. Later on it was found that it was not a good site because it was in a too congested area. Then it was suggested that a fresh site should be selected and the Director of Public Instruction has promised to inspect the place personally and send a report.

Contract for the construction of the Aruvikara dam.

45. **MR. S. CHATTANATHA KARAYALAR** (*Pattanapuram* cum *Shencotta*): Will the Government be pleased to state:

(a) the name of the person who has been given the contract for the construction of the dam at Aruvikara;

(b) when the contract was given;

(c) the total cost of the work done by him;

(d) whether it is a fact that the contract has been terminated, and, if so, when and why; and

(e) what time will be taken to complete the head works at Aruvikara?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (a) Messrs. Charry and Co.

(b) 30th January, 1931.

(c) Rs. 37,000.

(d) No.

(e) It is hoped that the head works will be completed in another 12 to 15 months.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): With reference to the answer to part (b), am I to understand that Messrs. Charry and Co., are carrying on the contract work even now?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes, they are.

Appointment of Muslim graduates in English Schools.

46. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the reasons why not even a single Muslim graduate has been able to secure a post in the English Schools as a teacher or otherwise?

MR. K. GEORGE (*Chief Secretary to Government*): There was no application from Mahomedan graduates during 1105. There was one application in 1106 and this applicant has renewed his application this year. No fresh graduate was appointed as a teacher since the date of the above application.

Public Health propaganda in schools.

47. **MR. K. P. MADHAVAN PILLAI** (*Chirayinkil*): Will the Government be pleased to state whether the Public Health Department is doing any propaganda work in schools?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Yes. The number of health lectures delivered during 1105 was 269 and during 1106 it was 656. Of these, more than 75 per cent. were in schools.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): May I know whether the schools mentioned in the answer are those in the health unit alone?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): No. All over the State.

Maternity and Child-welfare scheme.

48. **MR. K. P. MADHAVAN PILLAI** (*Chirayinkil*): Will the Government be pleased to state whether the Public Health Department proposes to organise any comprehensive maternity and child-welfare work for the whole State with a view to bring down maternal and infantile mortality?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): No: a comprehensive maternity and child-welfare work for the whole State cannot be undertaken easily. As a first step, this work has been undertaken in the Health Unit organisation at Neyyattinkara, where four clinics have already been established.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): Do the Government propose to extend it to other parts of the country also?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Not just now.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): In the near future?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): When finances permit that.

Appendix A.

***Vide* Answer to Question No. 38.**

List of persons who had given tenders for the supply of stationery articles to the Government in 1106.

1.	Messrs.	John Dickinson and Co ,	Trivandrum.
2.	,,	L. S Dixon and Co.,	London.
3.	,,	Wilson and Co.,	Madras.
4.	,,	Darragh Smail and Co.,	Alleppey.
5.		The Sri Rama Vilas Press,	Quilon.
6.		The South Indian Export Co.,	Madras.
7.	Messrs.	E. M. Gopalakrishna Kone,	Madura.
8.	,,	Addison and Co.,	Madras.
9.	,,	S. S. Waran and Co.,	Trivandrum.
10.	,,	J. B. Advani and Co.,	Madras.
11.	,,	O. C. P. S. E. Abdul Khadir,	Do.
12.		The Meenakshi Paper Mills,	Punalur.
13.	Messrs.	P. Orr and Sons,	Madras.
14.		The Office Equipment Co.,	Do.
15.		The Typewriter Mart.,	Do.
16.	,,	The Grief products,	Poona.
17.	Messrs.	Karim Baksh and Sons,	Punjab.
18.	,,	M. Perumal and Sons,	Tirvandrum.
19.	,,	C. Swamy and Sons,	Madras.
20.	Mr.	B. C. Chatterjee,	Calcutta.
21.	,,	Abdul Sakoor Abba Hassan Sait,	Trivandrum.
22.	Messrs.	D. Gestetner (India) Ltd.,	Calcutta.
23.	,,	Dewan Chand and Sons,	Do.
24.		The Sri Gopal Industrial Co.,	Trivandrum.
25.	Messrs.	Narasimham and Co.,	Madras.
26.	Mr.	T. Parasurama Pillai	Trivandrum.
27.	,,	Andrew Xavier	Do.
28.	,,	The Excelsior Oils and Technical Works,	Poona.
29.		The Premier Ink Works,	Madras.
30.	,,	The Barlock Typewriter Agency,	Do.
31.	Messrs.	Baswatir and Co.,	Trivandrum.
32.	Mr.	C. C. Varghese,	Ernakulam.
33.	,,	K. M. Mahomed Meeran,	Trivandrum.
34.		The Government Industries Department.	
35.		The Pharmaceutical Works,	Trivandrum.
36.		The Malabar Industries and Commerce, Ltd.,	Do.
37.		The Madras Pencil Factory,	Madras.
38.	Messrs.	Spicers, Ltd.,	London.
39.	,,	Shafi and Sons,	Punjab.
40.		The Travancore Soap Works,	Trivandrum.
41.		The Travancore P.W.D. Workshops,	Do.

Appendix B.

Vide Answer to Question No. 38.

List of persons whose tenders for the supply of stationery articles in 1106 were accepted by the Government.

1	Messrs.	John Dickinson and Co.,	Trivandrum
2	,,	L. S. Dixon and Co.,	London
3	,,	J. B. Advani and Co.,	Madras
4	,,	Darragh Smail and Co.,	Alleppey
5	,,	E. M. Gopalakrishna Kone,	Madura
6	,,	S. S. Waran and Co.,	Trivandrum
7		The Sri Ramavilas Press.	Quilon
8	Messrs.	O. C. P. S. E. Abdul Khadir,	Madras
9		The Meenakshi Paper Mills,	Punalur
10	Messrs.	Wilson and Co.,	Madras
11		The Department of Industries.	
12		The Sri Gopal Industrial Co.,	Trivandrum
13		The South Indian Export Co.,	Madras
14	Mr.	Abdul Sakoor Abba Hassan Sait,	Trivandrum
15	Messrs.	D. Gestetner (India) Ltd.,	Calcutta
16	Mr.	C. C. Varghese,	Eranakulam
17	,,	K. M. Mahomed Meeran	Trivandrum
18		The Malabar Industries and Commerce, Ltd.,	Do.
19	Mr.	Andrew Xavier,	Do.
20	,,	T. Parasurama Pillai,	Do.
21	Messrs.	Addison and Co.,	Madras
22	,,	Dewan Chand and Sons,	Calcutta
23	,,	C. Swamy and Sons,	Madras
24	,,	Shafi and Sons,	Punjab
25		The Premier Ink Works,	Madras
26		The Type writer Mart,	Do.
27		The Madras Pencil Factory,	Do.
28	Messrs.	Karim Baksh and Sons.,	Punjab
29	,,	M. Perumal and Sons.,	Trivandrum
30		The Travancore Soap Works,	Do.
31	Messrs.	P. Orr and Sons.,	Madras
32	,,	The Pharmaceutical Works.	Trivandrum.

ADJOURNMENT MOTION.

Mr. S. Krishna Pillai handed over to the President a paper containing notice of motion for the adjournment of the business of the House.

PRESIDENT: In regard to the notice of motion that you have put into my hands, Mr. Krishna Pillai, before I give my decision it is necessary to get some information. I will give you my decision when we meet this afternoon.

LEGISLATION.

THE JENMI AND KUTIYAN REGULATION AMENDMENT BILL.

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): സർ, ഇന്നലെ ഞാൻ പറയുവാൻ ശ്രമിച്ചുകൊണ്ടിരുന്നതു ജന്മിമാക്കു് ഇന്നു തങ്ങളുടെ ജന്മവസ്തുക്കളിൽനിന്നും കിട്ടുന്ന ആദായത്തിനും ആ വസ്തുവിന്മേൽ അവക്കുള്ള അവകാശത്തിനും യാതൊരു ഉറപ്പുമില്ലെന്നാണു്. അധികാരികളുടെ ഓരോ കാലത്തുണ്ടാകുന്ന ന്യായബോധത്തെ ആശ്രയിച്ചാണു് ഇന്നു ജന്മിമാക്കു് കിട്ടുന്ന ആദായവും അവകാശവും സ്ഥിതിചെയ്യുന്നതു്. ൧൦൮൨. മുതൽ ഇതിനെപ്പററി ഉണ്ടായിട്ടുള്ള തീരുമാനങ്ങളും ആലോചനയിൽ വന്നിട്ടുള്ള ബില്ലുകളും ആലോചിക്കുമ്പോൾ ഇന്നു ജന്മിമാക്കു സ്ഥിരാവകാശം കൊടുക്കേണ്ട ഒരു നിയമമാണു് ഉണ്ടാക്കേണ്ടതു്. ഇന്നു് ആലോചനയ്ക്കായി വന്നിട്ടുള്ള ചില ഭേദഗതികൾ നോക്കുകയാണെങ്കിൽ വസ്തുവിലുള്ള ജന്മാവകാശത്തെ, അതായതു് ഇതുവരെയും എല്ലാവരും സമ്മതിച്ചുകൊടുത്തിട്ടുള്ള ജന്മാവകാശത്തെപ്പോലും എടുത്തുകളയണമെന്നു വിവരിക്കുന്നതായി ചിലതു കാണുന്നുണ്ടു്. ആ സ്ഥിതിയ്ക്കും ജന്മിമാക്കല്ലെ സ്ഥിരാവകാശംകൊടുത്തു ചില നിയമങ്ങളുണ്ടാക്കേണ്ടതെന്നു ആക്കും തോന്നിപ്പോകും. ഈ രീതിയിൽ ഈ രാജ്യത്തുള്ള ഒരു ചെറുവിഭാഗക്കാരുടെ അവകാശത്തെ വിഗണിച്ചുവരുന്നതായ ഭേദഗതികളും ബില്ലും കൊണ്ടുവരുന്നതു രാജ്യമീമാംസാതത്വത്തിനു എത്രമാത്രം യോജിച്ചതാണെന്നാണു ഞാൻ ഇന്നലെ പറയുവാനായി ശ്രമിച്ചതു്. ഇതിനെ സംബന്ധിച്ചുകഴിഞ്ഞതവണത്തെ സിലക്റ്റ്കമ്മിററി വേണ്ടവിധത്തിൽ ആലോചിച്ചതിനുശേഷമല്ല ഈ ഭേദഗതികൾ ചെയ്തിട്ടുള്ളതെന്നു എനിക്കു തോന്നിയതുകൊണ്ടാണു് ഈ ബിൽ രണ്ടാമതും ഒരു സിലക്റ്റ്കമ്മററിക്കയക്കണമെന്നു ഞാൻ ആവശ്യപ്പെടുന്നതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): ഇപ്പോൾ ഉദ്ദേശിക്കുന്ന സിലക്റ്റ്കമ്മററി ആ ഭാഗങ്ങൾകൂടി ആലോചിക്കുമെന്നു മെമ്പർക്കു് എങ്ങിനെ അറിയാം?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): അവരുടെ ദൃഷ്ടിയിൽ കൊണ്ടുവന്നാൽ അവർ ആലോചിക്കും.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): ഏതുവിധത്തിൽ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ഞാൻ ഇപ്പോഠം ഇവിടെ പറയുന്നതുപോലെ അവരുടെ ദൃഷ്ടിയിലും കൊണ്ടുവരിക.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): മെമ്പർ ഇവിടെ പറയുന്നതു സിലക്ട്കമ്മററിയുടെ ശ്രദ്ധയിൽ പെടുത്തിയിട്ടുണ്ടോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ബോധ്യപ്പെടുത്തിയിട്ടുണ്ടെന്നാണു ഞാൻ വിചാരിക്കുന്നതു്. എന്നാൽ സിലക്ട്കമ്മററി അതനുസരിച്ചു പ്രവർത്തിച്ചില്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): സിലക്ട്കമ്മററി അതു ശ്രദ്ധിച്ചില്ല എന്നു പറയുവാൻ മെമ്പർക്കു എന്തു അത്താർട്ടിയാണുള്ളതു്?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): സിലക്ട്കമ്മററി റിപ്പോർട്ടു വായിച്ചതിൽ നിന്നു എനിക്കങ്ങിനേയാണു തോന്നിയതു. അതായതു ഈ ഭേദഗതികഠം വായിച്ചാൽ സിലക്ട്കമ്മററി ആ തത്വങ്ങളെ ആദരിച്ചിട്ടില്ലെന്നു കാണാം.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): ഇന്നതു വായിച്ചാൽ ഇന്നകാര്യം സിലക്ററുകമ്മിററി പര്യാലോചിച്ചിട്ടില്ല എന്നുള്ളതിനു ഒരുദാഹരണം പറയാമോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): അതിലുള്ള ഓരോ സെക്ഷനും ഉദാഹരണങ്ങളാണു്; പ്രത്യേകിച്ചെടുത്തുപറയണമെന്നില്ല. ജന്മികുടിയാന്മാർ തമ്മിലുള്ള സംബന്ധം ഒന്നു ലഘുപ്പെടുത്തുന്നതിനായി സിലക്ററ്കമ്മററിയിൽ മി: തുപ്പൻനംപൂതിരിപ്പാടു് ഒരഭിപ്രായം പറയുകയുണ്ടായിട്ടുണ്ടു്. അതിനെപ്പററിയും വേണ്ടവിധത്തിൽ ആലോചിച്ചിട്ടില്ല.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): പുത്തനായി സിലക്ററ്കമ്മററിയിൽ ആലോചിക്കേണ്ട സംഗതി എന്താണെന്നു പറയാമൊ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ഇന്നത്തെ കാണപ്പാട്ടവസ്തുക്കഠംക്കു കൊടുക്കുന്ന എട്ടിലൊന്നു സർക്കാർകരം നീക്കി ശേഷമുള്ള എട്ടിലേഴുഭാഗം ജൻമിമാർക്കു കിട്ടേണ്ട സകല അവകാശങ്ങഠംക്കും ആയി കൊടുക്കാമെന്നു നിശ്ചയിക്കയാണെങ്കിൽ അതുകൊണ്ടു ജന്മിമാർ തൃപ്തിപ്പെട്ടുകൊള്ളും. ഇതിനെപ്പററി കൂലങ്കഷമായി ആലോചിക്കേണ്ടതാണു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : മെമ്പർ ഇവിടെ പറഞ്ഞതു മി: തുപ്പൻ നമ്പൂരിപ്പാടിനും സമ്മതമാണോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : സമ്മതമാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : മി: ജാതവേദൻ നമ്പൂതിരിപ്പാടിനും സമ്മതമാണോ?

MR. V. N. JATAVEDAN NAMPUTIRIPAD (*Co-opted*) : ഒരന്വേഷണം നടത്തി തീരുമാനിക്കുന്നതു സമ്മതമാണ്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : [illegible] അഭിപ്രായവ്യത്യാസം ഉണ്ടായാൽ വീണ്ടും ഒരു സിലക്റ്റ് കമ്മററിയ്ക്കു ആലോചനയ്ക്കയക്കുന്നതു വിഹിതമാണോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : സിലക്റ്റ് കമ്മററിയിൽ ആലോചിച്ചാൽ കൂടുതൽ സൌകര്യം ഉണ്ടാകുമെന്നു തോന്നുന്നുണ്ടു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): നിങ്ങൾക്കു് അഭിപ്രായവ്യത്യാസമൊന്നുമില്ലേ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : ഇല്ല.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*) : മററു ജന്മിമാക്കും ഇതു സമ്മതമാണോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : അതറിയുന്നതിനാണ് അന്വേഷണം നടത്തണമെന്നു പറഞ്ഞതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : ഈ ഒരു സംഗതിയെപ്പററിമാത്രം അന്വേഷണം നടത്തിയാൽമതിയോ, അതല്ല മററുസംഗതികളെപ്പററിക്കൂടി അന്വേഷണംനടത്തണോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : ഇതു മതിയാകുമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmis*) : ഈ വിഷയത്തിൽ എന്റെ അഭിപ്രായംകൂടി അറിയണമെന്നു ചിലക്കു താല്പര്യമുള്ളതിനാൽ ഞാൻ എന്റെ അഭിപ്രായത്തെ കുറേക്കൂടി വ്യക്തപ്പെടുത്തണമെന്നു വിചാരിക്കുന്നു. ഈ കൗൺസിലിലുള്ള ഞങ്ങൾ മൂന്നുപേൎക്കും ഇതു സമ്മതമാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : അത്രയേ ചോദിച്ചുള്ളു.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmis*) : എന്നാൽ മററുള്ള ജന്മിമാരുടെ അഭിപ്രായംകൂടി അറിയേണ്ട ആവശ്യമുള്ളതുകൊണ്ടാണ് ഈ

ബില്‍ വീണ്ടും ഒരു സിലക്റ്റ് കമ്മററിക്കയക്കണമെന്നു ആവശ്യപ്പെടുന്നു.

PRESIDENT: ഈ ഒരു സംഗതി തീരുമാനിക്കാന്‍വേണ്ടിമാത്രം വീണ്ടും ഒരു സിലക്റ്റുകമ്മററിക്ക ഈ ബില്‍ അയയ്ക്കണമെന്നാണോ നിങ്ങളും ആവശ്യപ്പെടുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennis*): ഇതിനെപ്പററിമാത്രം അന്വേഷണം നടത്താനാണെങ്കിലും തെളിവെടുത്തു ബോദ്ധ്യപ്പെട്ടുകഴിഞ്ഞാല്‍ ആ കമ്മററിറിപ്പോര്‍ട്ടനുസരിച്ചുള്ള ഭേദഗതിയോടുകൂടി ബില്‍ പാസ്സാക്കുന്നതു സമ്മതമാണു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): ഈ തത്വം ജന്മിയും കുടിയാനും സമ്മതിക്കയാണെങ്കില്‍ പിന്നെ ഭേദഗതിയുടെ ആവശ്യമുണ്ടോ?

PRESIDENT: This Bill will have to be altered. That is what he says?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennis*): ഈ തത്വത്തില്‍ അടങ്ങിയ ഭേദഗതികൂടി പുതുക്കിയ ബില്ലില്‍ ഉള്‍പ്പെടുത്തേണ്ടതാണു്.

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): മററുള്ള ജന്മിമാരുടെ അഭിപ്രായംകൂടി രേഖപ്പെടുത്താനുള്ള ഒരു മാര്‍ഗ്ഗം ഇതായതുകൊണ്ടു ഞാന്‍ ഈ ബില്ലിനെ വീണ്ടും ഒരു സിലക്റ്റുകമ്മററിക്കയക്കണമെന്നു അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, as I understand it, the motion, as now put forward or as interpreted by the jenmi members, is that the Bill be formally recommitted to a Select Committee with a direction from the Council to enquire into one single point, namely, to find out whether there will be a general agreement—I do not say universal agreement—on this single point whether, in respect of kanapattom lands, the pattom may be taken to be the pattom fixed by Government for Land Revenue purpose, of which 1/8 will go to Government as Government tax the balance being the jenmies' dues.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): It cannot be 1/8 in all cases.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But generally it is 1/8. Sometimes it may be 1/6th or even 1/4th. Whatever that may be, a portion would go to the Government as Sirkar tax; the amount left after deducting this Sirkar tax should be paid to the Jenmi in substitution of all his present claims.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): Does it include customary dues?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes. That is so. Practically, the land is to become pandara. pattom. 1/8 of the pattom would be given to the Government and the balance to the Jenmi.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Does the member mean that in the case of pandarapattom lands the Sirkar gets the full pattom of the land without making any deduction whatsoever in favour of the kutiyan ?

PRESIDENT : That is the net pattom or *Trippukaram*.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Does the member mean that the proposal relates to seven times the value of tax fixed for these?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The settlement register will give the pattom for each land. Take that to be the pattom of the land. Of it give 1/8 to the Government and the balance to the jenmi. That is the idea. The accurate details may be worked out later on.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Does the pattom fixed there denote the total tax that the tenant is bound to pay to the Sirkar if it were pandarapattom ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not think any deduction is allowed except in the case of paddy lands for *Varambus* or some such things. It is deducting all these that the pattom, so called, is fixed.

MR. A. NARAYANA PILLAI (*Vaikam*) : കാണയാധാരത്തിൽ പണ്ടാരപ്പാട്ടം വസ്തുഉൾപ്പെടുകയും മുഴുവൻ കരംസർക്കാരിലേക്കുകൊടുക്കേണ്ടിവരികയും ചെയ്യുകയില്ലേ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : We are not concerned with individual cases but only with what are generally known as kanam lands in regard to which the Courts recognise renewal, michavaram and other dues etc ; and it is in substitution of all these dues that the proposed 7/8 of the pattom, *i. e.* the balance after payment to Government, must be given to the jenmi.

MR. A. NARAYANA PILLAI (*Vaikam*) : കരത്തിൽ ബാക്കിയില്ലെങ്കിൽ സർക്കാർ കരത്തോളം വരുന്ന സംഖ്യ ജന്മിക്കുകൊടുക്കേണ്ടിവരുമല്ലോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : സെററിൽമെൻറുപാട്ടം നോക്കി നിശ്ചയിക്കണം.

MR. A. NARAYANA PILLAI (*Vaikam*) : കാണവസ്തുക്കൾ പിന്നീടു പണ്ടാരപ്പാട്ടമായി വന്നതു കാണും.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : ശരിയായ പണ്ടാരപ്പാട്ടമാണെങ്കിൽ ജന്മികുടിയാൻ റഗുലേഷൻ അതിനെ ബാധിക്കയില്ല.

PRESIDENT: Those are rare exceptions. When the matter comes before the committee they will have more evidence than we now have. You say that sometimes Pandarapattom lands are treated as Kanapattom lands. There may be one such case in a thousand. When it comes before the Select Committee, perhaps they will find some means to obviate the difficulty.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I think therefore that this bill may be referred to a Select Committee with regard to this one point alone. I may mention that Mr. Tuppan Namputiripad made this proposal in the Select Committee; and the sittings were once adjourned for ascertaining the views of the public. Afterwards, Mr. Tuppan Namputiripad said that some jenmi members were agreeable and that as regards others he could not say definitely unless an enquiry was made. I sent also a circular letter to all the members of the Select Committee, when he made this proposal, to make an enquiry into the matter. In response to that, Mr. K. P. Nilakanta Pillai, who represented Chirayinkil, wrote to me that the jenmies in his constituency were generally agreeable. Other members did not give me any definite answer in the matter. It seems therefore that the request that this point should be enquired into by a Committee is a reasonable one; and I think the Council may agree to it. Looking at it from a practical point of view, I know that members are desirous of getting through this measure as expeditiously as possible. But there is an adjournment motion fixed for to-day and it is not much that can be done with this Bill before that motion is reached. In any event we cannot get through this Bill during this sitting. We would require another sitting or sittings to complete the Bill. In the meantime if the Select Committee is directed to make a report before the next meeting, nobody will suffer substantially and we will all be glad if we can come to a conclusion satisfactory to every body concerned and for all time.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What is the basis on which the pattom is fixed? Has it any bearing on the rent derived from the land?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It varies in different cases.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I suppose it is proportionate to the yield of the property?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If the yield is paid to the Sirkar and to the jenmi, what is it that the kutiyan gets?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In the case of pandarapattom lands, the pattom is fixed and it is that that goes as land tax to the Sirkar.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Therefore it is that I say that it is not the whole thing that is given. In the settlement Register it is said as the yield of the land.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The settlement gives *the pattom*, so called, and not the yield; the pattom is considerably less than the yield.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Sir, as the Chairman of the Select Committee which considered this important Bill, I think I owe a duty to the House to say a few words with reference to some of the statements made by Mr. Tuppan Namputiripad in support of his motion for recommittal of the Bill to the Select Committee. At this stage I do not propose either to oppose or support the motion. I am immediately concerned with one or two things to which he made a reference. I may say at the outset that the impression that I formed of the attitude of Mr. Tuppan Namputiripad in connection with the Jenmi-kutiyan Regulation was that that he had a serious, honest, and an earnest desire on his part to terminate the controversy and restore harmony between the Jenmies and tenants even if it involved a heavy sacrifice on the part of the jenmies. I was thoroughly impressed with that frame of mind. But the limitations of the Select Committee could not be ignored. He told us that it would be desirable that the committee should go on tour throughout Travancore and take the evidence of representative jenmies and tenants in order to ascertain exactly the usages and conventions regulating the relationship between the jenmies and tenants. It struck me at that time that that was a large order in view of the history of this piece of legislation. Very extensive enquiries were made by a committee of officers and non-officials, and their reports had already been submitted to Government. I honestly believe that it will be impossible to achieve anything more satisfactory than the earlier reports had achieved in that direction beyond increasing the tension. It struck me that no useful purpose was going to be served by going through that ordeal once again. I said that there was no such special mandate from the Council when the Bill was committed to the Select Committee. I said it was open to the Select Committee to invite the opinion of a few representative members, experts, who could talk with authority on the questions involved. I asked Mr. Tuppan Namputiripad to give me a list and I promised to consider the question very sympathetically and assured him that it was not the intention of the committee to hurry through this controversial piece of legislation. He agreed to the suggestion. I regret very much that that promised list was never put into my hands-if I am wrong he will correct me. In view of my undertaking to consider the latter proposal sympathetically, he did not press the earlier proposition. Sir, that committee was the biggest committee ever elected by the Travancore Legislative Council. The idea of asking these 22 members to go out touring throughout Travancore struck me as not really practical politics. At the same time the committee was perfectly willing even at some considerable trouble to give them the opportunity that they wanted. On the ground that no opportunity was given for representative jenmies to appear before the committee, Mr. Tuppan

Namputiripad is not entitled to have the Bill recommitted. But the other question that is raised, as Mr. Kayalam Paramesvaran Pillai pointed out, was raised by Mr. Tuppan Namputiripad. I was absolutely enamoured when I first heard Mr. Tuppan Namputiripad coming forward and saying. "Deduct sirkar tax out of the pattom fixed at the Settlement and give the balance. We shall be perfectly willing". I say, the tenants in a body will vote for it, and all members of the Legislative Council will vote for it; because it would considerably improve the financial position of the tenants. It would be a sure guarantee of the continuity of harmonious relationship between the land-owner and tenant. Hereafter, the jenmies and tenants need not meet on any business relation whatsoever. The amount realised by the Sirkar may be deducted and the balance of the pattom will be handed over to them. It may be 1/6 or 1/8 according to the natur eof the particular land. If that position—which even now appears to me to be really a Herculean task to achieve—could be achieved by the jenmies, I think, the present Bill might be withdrawn. I think this House can congratulate itself on having found a summary solution of the question that has been agitating the minds of all thinking men for several decades past, both here and elsewhere. I said it was very welcome, though it was not strictly within the purview of the committee to go into that question. If I get an assurance that the jenmies, at least a majority of them, would undertake to abide by the suggestion that he made—I felt it was made by Mr. Tuppan Namputiripad in an earnest spirit of purchasing peace—if I had that assurance from the jenmies that they would meet together and by a substantial majority adopt it, the committee would have strength to report back to the Council with these suggestions. As things went on, as the Law Member said, everyone present was asked to consult his constituency. No definite assurance was given because they thought that it was impossible to achieve that ideal dream, or because they did not get the necessary facilities for consultation. Let it not be said, Sir, that the peace, prosperity and material contentment of the agricultural population were sought to be sacrificed on the altar of the traditions and conventions of this House. I have not the slightest objection to the Bill being recommitted to a new committee provided it is a working body composed of a small number who would be able to accomplish the object and report to the House on this question alone. That the Committee was not in a hurry about the Bill will be seen from the fact that they sat for thirteen days; and having regard to the size of the notes that we took, during the course of the discussion, the charge that the committee was in a hurry cannot even be thought of. Everything that can possibly be urged by Mr. Tuppan Namputiripad was urged. But, unfortunately, owing to the operation of the rule of three, they were in a minority and the conventions of the Select Committee did require that the conclusions ought to be reached by a majority. He lost it. It was a minority struggling for existence. But, under the limitations laid down by our Legislative Council Rules, there is no escaping the normal consequences of the Bill being considered by a Select Committee. Personally, Sir, as I

[Rao. Bahadur K. A. Krishna Aiyangar.]

submitted, I have absolutely no objection to that question being gone into if that is the only question, and if that is going to help us to solve the trouble. I think Travancore may be proud of—

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Does the member think that matters will improve if the bill is recommitted.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I would not speculate. It all depends upon the spirit in which the colleagues of Mr. Tuppan Namputiripad approach the question. If they are quite as anxious as Mr. Tuppan Namputiri for purchasing peace at some substantial sacrifice, I do not see why it should not be realised. Well, at present, as matters stand, it looks like a visionary dream. But what appears to be a dream to us today may be realised in the course of a few weeks or a few months. I would not therefore anticipate the ultimate verdict of the jenmies, the whole thing is in their hands whether to mar it or to mend it, or, once for all to determine the controversy and once more restore the cordial relationship which, I know, subsisted between the jenmies and the tenants in Travancore.

MR. S. KRISHNA PILLAI (*Karunagapalli*) ; Has any jenmi spoken to the member before about this matter ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Except what transpired at the Select Committee, nobody else mentioned the subject. I was quite as anxious as Mr. Tuppan Namputiripad. If he can purchase peace even at this tremendous sacrifice—take it from me it is a tremendous sacrifice—if he is willing to do it, I am for helping him. I will give him a chance to ascertain the wishes of his colleagues. As matters stood then, probably it was not possible for him to do that. He feels a little more hopeful now. We waited for a sufficiently long period and waiting for a few months longer is not going, in my honest judgment, seriously to impair the interests of the tenants if, as a result of that, we can reach this tempting goal of absolute harmony.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) ; Were not these questions brought to the consideration of the Select Committee ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : You mean the question of the jenmies being satisfied with the pattom fixed in the proclamation minus the pattom that is the only—

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) Yes.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): That is what I said. It *was* brought to my notice. I said the select committee could not take any serious action, as it was beyond the purview of the principle of the Bill, but would make a special report to the Council after consideration, if the reis evidence of general agreement among the jenmies. That was not forthcoming at the time, Naturally we had to ignore it.

MR. E. V. KRISHNA PILLAI (*Kottarakkara* cum *Kunnatiur*) : If that suggestion is removed from the purview of the Select Committee how is the difficulty going to be got over by the bill being recommitted?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The Council can give a mandate to the Select Committee. It is an opportunity to help the people to come together. If they are agreeable that this bill might be withdrawn or on the agreed lines modified, no difficulty arises. Whatever we do must have the general consent of the jenmies and of the tenants. If some of you are out for the tenants and fight shy of the proposal there is no helping it. I do not think everybody would. Everybody suffers, both the tenants and the jenmies.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether there is anything now to justify our expectations that did not exist at the time.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Mr. Tuppan Namputiri told me that he was unable then to guarantee general agreement. Now all the Jenmi members—

MR. A. THANU PILLAI (*Trivandrum*): Had not Mr. Tuppan Namputiripad some weeks to consider the matter and to consult other jenmies?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I do not exactly remember whether it was weeks or days; we allowed him reasonable time.

MR. A. THANU PILLAI (*Trivandrum*): The matter was not merely in the Select Committee.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I do not think it formed part of the proceedings. As I said before, we will give them more time and see how matters improve.

MR. A. THANU PILLAI (*Trivandrum*) : What I say is Mr. Tuppan Namputiripad had ample time to consult other jenmies. He did consult other jenmies. Then he came and told us that they were not agreeable.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : It was just in the middle of the discussion that this idea was suggested, and, without discontinuing further discussion on the bill, I said " All right ".

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether there is any better basis for the hope now.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I think there is the assurance by all the jenmi members.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : But did you get any assurance from Mr. Jathavedan Namputiri ; I believe all that he said was that if all members agree, he would also agree.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Has he said that they were not agreed ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : What is it that the other gentleman said ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : You can put the question to Mr. Jathavedan Namputiripad. I thought there was absolute agreement amongst the jenmi members. I also understood it so. If people talk with mental reservation we cannot help it. As I understood it, Mr. Jathavedan Namputiripad was equally anxious like his colleagues. If this door will help them to reach the land of peace, I am for keeping it open.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : What will be the position in case a majority of the witnesses do not take the view of Mr. Jathavedan Namputiripad ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : The whole thing would go.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Supposing a majority of the witnesses examined do not favour the Bill; will the present members stick to their own opinion ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : If so, it would be beyond the legitimate functions of this House to force its views on an unwilling majority. If there is a small minority, in the larger interests of public safety their opinions may be overruled though taken into consideration.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Supposing there are some vital changes made, should not the Legislature give effect to them ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : If there is no general agreement, effect need not be given to the proposal.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : There is a certain promise held out by the jenmi members. Today they are agreeable. On enquiry, if the majority of the witnesses turn round and are opposed to that view, will these gentlemen hold their view or change it ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : They have given their individual opinions only.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I think it would be unfair and useless to ask them to stick to their former opinion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : My question is that if they hold one view now, why should they change it according to time ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : They are at perfect liberty to do that. When they find later on that they could not persuade the bulk of the jenmies they will fall in line with the rest of their colleagues. Nothing dishonest, nothing irregular about it. They seem to think, and honestly too, that they can; that is the point.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Their colleagues are here.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Only a couple of them are here. If all jenmies were as well-disposed as Mr. Tuppan Namputiri, I think this controversy would not have assumed this terrible shape.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): So, at all events, the experiment is worth making.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Yes, that is my honest opinion.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Do you understand the mover to mean that the bill be referred back to the Select Committee with instructions that this committee need consider only this point and none else?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): That is the only point with which this bill ought to be sent back to the Select Committee. I am not for enlarging the scope of the reference. If this question is to be investigated and if that is going to help us substantially, I say, "Don't stand in the way." But if they want the whole controversy to be revived, I vote against the proposition for recommittal.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): May I know whether this Bill has to be recommitted, or the present proposal alone?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The idea is, the whole bill should be recommitted with specific directions that the committee should enquire into this question alone.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Why should the whole Bill be recommitted?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): That is the procedure. The only way by which you can do that is to appoint a select committee with specific directions for doing its work. I have very clear definite notions about the legality and all the rest of it. I think it is all regular, and strictly in accordance with the Standing Orders.

It is open to the House later on, after getting a report of the Select Committee on that particular question, to form definite conclusions as to whether it will close the controversy on the lines of the recommittal or not. At present, we have to ascertain a question of fact whether the majority of the jenmies are agreeable to it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is evidence to be taken from the tenants also? May I know whether this proposal is acceptable to them?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): If Mr. Asan represents the tenants and if he wants to take their evidence, I have no objection.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I wish to know whether the views of the tenants also are not to be ascertained ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Certainly. The order of reference will not limit the judgment of the Select Committee in the matter of examining jenmies and their *kariasthans* alone. All of us are anxious to finish the business as soon as we can. Those of you who are public workers and who have got influence in different parts of the country may conveniently hold meetings and pass resolutions and say, "We are agreeable to it" or "We are not agreeable to it". One or two individuals may represent a particular area. Some might be *for* and some *against*, in the Select Committee too. Similarly, the jenmies may meet together in different centres and say "We are agreeable to the proposal put forward by Mr. Tuppan Namputiri" or "We are not agreeable". Of course, you know, oftentimes you see in newspapers that half-a-dozen people meet together in the name of the citizens of Travancore and pass resolutions. All of us are familiar with that. Whenever you find any expression of dissent the Committee may have the power of summoning representative witnesses, either from the ranks of tenants or jenmies, to be examined.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : Suppose the Committee is not able to submit its report before the next meeting of the Council?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : We are legislating for all time to come.

PRESIDENT : He is asking, what is to be done if the report does not come before the next meeting of the Council.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : When the report comes we will think of that question.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : So, this question will come only after the report of the committee, however long it may be delayed?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated Deputy President*): Certainly, this Bill and the report of the Select Committee are not to be indefinitely postponed. It must come as soon as it can; if possible, before the next meeting, or at a given time. You, Sir, can limit the time within which the report should be submitted. You can ask the Committee to send up its report within three months or six months; give the committee just the time that the Council thinks reasonable.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : If even within that fixed time the Committee, in spite of its best intentions, is not able to submit the report, will the Council go on with the Bill in hand ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated Deputy President*) : It is in the discretion of the President to allow an extension of time or not.

Sir, one of two courses is possible. You fix a definite period within which the Committee should submit its report. If it does not submit its report, do not give an extension of time. Let us proceed with the Bill as it is. If you are satisfied, Sir, that perhaps a week's time or a fortnight's time will enable the committee to finish the work, let us have that. If the Committee were to ask for another year it is open to you, Sir, either to reject it and to proceed with the consideration of the Bill.

MR. S. KRISHNA PILLAI (*Karunagapalli*) We have only one other sitting in the month of Medom. If the report does not come by that time the chance comes only this time next year, as there is the Budget Session intervening. That means, the Committee will get one year's time.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : That aspect of the matter may be considered when the report is received. In view of the importance of the matter there is nothing to prevent convening a special session. The Select Committee took thirteen days, and the council is not going to take more than a couple of days if things go well.

MR. S. KRISHNA PILLAI (*Karunagapalli*) I suppose an amendment to 1071 Regulation is necessary.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : On this question there is no difference of opinion.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Therefore a special session may be necessary for expediting work.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Everything should be done as quickly as possible, and the members of the Select Committee who may be nominated will be reasonable men.

MR. A. THANU PILLAI (*Trivandrum*) : Is it that evidence be taken only on this point ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I think so.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : Suppose there is some important evidence purposely kept back by the jenmi now; and subsequently the jenmi member engineers an amendment like the present one. What is to be done ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : The Chairman knows his duty if he finds that the evidence is purposely delayed; and the Council also knows how to deal with that. Only give them one more chance and see if matters improve.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Why not we draft an *ex parte* report if any mischief is attempted.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Yes, if parties keep back, the judge knows his duty. Similarly the chairman of the committee is expected to do his duty. I hope it is an experiment worth trying. I do not put it on a higher basis than that.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Personally, I would oppose the proposal made by Mr. Tuppan Namputiri for the simple reason that the Regulaltion V of 1071 is more than thirty-six years old. The necessity for introducing amendments to this regulation was felt nearly ten years after the Regulation was passed, and there have been representations in the Popular Assembly, representations made by Government officers, representations made by public bodies; and the Government, after being satisfied that there was a necessity for going into the matter, appointed a commission in 1915. Its report was received and it would appear that they examined over a thousand witnesses, spent a lot of time in drafting the report, and submitted a very learned report. But, unfortunately, as the kutiyans were, and even today are, not in the good books of those who are responsible for carrying on the Administration, the report happened to be dismissed. Fourteen years after, a Bill was introduced by a non-official member; and that bill had to be withdrawn and a round table conference was called in. Every point was discussed; and the Government undertook to introduce into the Council a draft Bill. That Bill was introduced, and a long time after the date of the introduction, it was referred to a Select Committee. The Select Committee was at the Bill for a pretty long time. That submitted its report in Dhanu 1106. We are at it one year after the date of the report, and today we are surprised by a suggestion coming from some jenmi member that the whole Bill be recommitted to another select committee for considering the question whether the jenmies will not either voluntarily or willingly undertake to accept seven times the Sirkar tax that is now being paid on kanapattom lands. It is a very alluring prospect to the kutiyan, and the kutiyans, gullible as they are, simple men as they are, might very easily fail in with the proposal.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member think that it is a good proposal and that it is advantageous to the kutiyans?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I believe so. I am opposing, for the reason that it comes in like a surprise, like a vision that we see in a dream which we are not at all going to realise. That is my fear. I may even say that it is something like a bait to catch the fish withal. This is a promise held out to us and we are very much willing to catch it. But my question is whether Mr. Jathavedan Nambutiri's assurance or Mr. Tuppan Namputiri's assurance or his colleagues' assurance is in any way going to help us; because this is a proposal which comes up or which is being sprung upon this House all on a sudden. If it were a proposal made after due enquiry and if there is any evidence which the jenmi members are able to place before this House which would convince this House that there is a general opinion, or, at any rate, a current opinion amongst jenmies to accept this proposal, I have absolutely no objection in accepting the suggestion made here, namely, for referring back the Bill to a Select

Committee. It is only the opinion of three members who are present here. I would rather personally be unwilling to accept it for the simple reason that the little amendments that we have been asking for were often withheld. Every time the question comes up for consideration some obstacle is placed before it and the matter is not allowed to be taken for consideration by the House. At one time it was the wrong sentence that was found in the report of 1915. It was not our fault. Mr. A. G. Menon drew up a bill and that was thrown away. Then there was the Round Table Conference where everybody hoped that they would agree, and a Bill was introduced. That Bill would not be accepted either by the jenmies. It is now found that the jenmies are of opinion that radical changes have been proposed by the Select Committee and for that reason, if possible they would like to see that the Bill is not placed before this House. If that is the object with which this proposal is made, there is nothing in it; and if we are to fall in with their views, I suppose, they gain their object by another means, by taking away the Bill from discussion. If the members of this House are of opinion that the offer is a practical one or one that has sincerity in it, I have absolutely no objection in referring it to another Select Committee. The House has to be convinced of it. If they can do so either by placing some document or some letter or petition which is written by some jenmies authorising these gentlemen, the jenmi members here, to propound this view, I think we may say that there is some *bona fides* about this.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Is not Mr. Tuppan Nambutiri a representative jenmi, elected for the council?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Yes; may be. I understand that. But when it comes to a matter affecting the jenmies' purse, his opinion may not be binding on them. You will find a large number of jenmies have drawn up a very costly memorandum and have sent it up with the help of their *kariasthans*.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I said that Mr. K. P. Nilakanta Pillai consulted the jenmies of his constituency. They were generally agreeable.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If evidence like that is forthcoming, it would be of some help. If the jenmies themselves do not say anything like that, how far we shall rely upon their hopes I do not know. But if their hopes are like those of the kutiyans I think waiting and attaching any importance to their statement are not good. We can as well proceed with the Bill. We will grant the kutiyans whatever House is willing to grant them. They shall not be held back from their legitimate claims which they were clamouring for during the last thirty years.

MR. RAMA VARMA RAJA (*Edavagai*): ഈ വലിയ മെമ്മോറിയലിൽ എത്രപേർ ഒപ്പിട്ടിട്ടുണ്ടായിരുന്നു എന്നറിയാമോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): മിസ്റ്റർ ശങ്കരൻനായർ തയ്യാറാക്കിയിട്ടുള്ളതാണെന്നറിയാം.

MR. RAMA VARMA RAJA (*Edavagai*) : എത്രപേർ അതിൽ ഒപ്പിട്ടിട്ടുണ്ടായിരുന്നു?

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഞാനാവശ്യപ്പെട്ടപ്പോൾ മെമ്മോറിയൽ എനിക്കുതന്നില്ല; എന്നോടു വിശ്വാസമില്ലാത്തതുകൊണ്ടായിരിക്കാം തരാത്തതു്.

MR. RAMA VARMA RAJA (*Edavagai*) : അതിൽ രണ്ടു ജന്മിമാരെ ഒപ്പിട്ടിട്ടുണ്ടായിരുന്നുള്ളൂ എന്നറിയാമോ ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): തിരുവിതാംകൂറിലെ മററു ജന്മിമാരെക്കാളും വസ്തുക്കളുള്ള അംലപൂർമനയ്ക്കൽ നമ്പൂതിരിപ്പാടു ഒപ്പിട്ടിട്ടുണ്ടു്.

MR. RAMA VARMA RAJA (*Edavagai*): അംലപൂർമനയ്ക്കൽ നമ്പൂതിരിപ്പാടിന്റെ അഭിപ്രായം ജന്മിമാരുടെ അഭിപ്രായമല്ലെന്നറിയാമോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): അദ്ദേഹത്തിന്റെ അഭിപ്രായം സ്വീകരിച്ചില്ലെങ്കിൽ നിങ്ങൾക്കൊരു കാര്യവും സാധിക്കയില്ല.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): തിരുവിതാംകൂറിൽ ഒരു വലിയ ഭാഗം വസ്തുക്കളും അംലപൂർമനയ്ക്കലേക്കാണെന്നുതോന്നുന്നുണ്ടോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഗണ്യമായ ഒരു ഭാഗം വസ്തുക്കൾ ആ ജന്മിക്കു തനിച്ചുണ്ടെന്നുതന്നെ ഞാൻ വിശ്വസിക്കുന്നു.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ധാരാളം വസ്തുക്കളുള്ള ജന്മിമാർ വേറെയും ഉണ്ടെന്നു വിശ്വാസമുണ്ടോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): തിരുവിതാംകൂറിൽ ഇത്രയും ശല്യം ചെയ്യുന്ന വേറെ ജന്മിമാരുണ്ടോ എന്നെനിക്കറിഞ്ഞുകൂടാ.

Sir, I am of opinion that the House must be convinced that the offer that is now made is *bona fide*, and until that is done, I, for my part, would oppose any proposal to recommit the Bill to a Select Committee for the simple reason that the demands that we have been making are long pending, and if all that we demand is not conceded to us, at least some of them might be conceded as early as possible. With these few words, I oppose the proposal to recommit the Bill to a Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, at the risk of being misunderstood and misrepresented, I wish to support the proposal for recommital on certain specific conditions. One is that if no decision could be arrived at regarding this Bill before the next session of the Legislative Council, we must drop any idea of getting an assurance or an understanding regarding this point, and drop it for ever and go on

with the Bill. Secondly, the jenmi members here, all of them, individually of course, should categorically assure that *they* are for this sort of arrangement and that they will, in their individual capacity, do everything to induce their constituents to come to an understanding like this.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will there be a corresponding assurance from the members of this House that they would induce the tenants to accept this proposal?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I think it is common ground, and I do not think anybody would seriously contest that point. So far as the kutiyans are concerned, though in some exceptional cases, they stand to lose if they agree to this proposal, I think, taken as a whole, they would accept it because, as my friend Mr. S. Krishna Pillai stated, the prospect is so alluring, and untill the proposal comes into actual reality there can be no peace. I am aware of the fact, Sir, that some kutiyans, according to this arrangement, may have to incur some loss. But, looking at the whole question, not from the point of monetary gain or loss, but from the point of view of self-respect, I think the kutiyans as a whole, taking a long vision and taking every circumstance into consideration, ought to accept this proposal which does away for ever with so many complications that may lead them to Court that will encourage them to go on fighting with each other. I attach more importance to the proposal for re-committal because, if an agreement on this basis is possible, the feudal aspects of the tenancy would be done away with for ever. I think most of the kutiyans smart under the exactions of the jenmies. The fact that they have to give one fanam or two fanams whenever a child is born in the family of the jenmi, that they have to contribute when *adiyanthrams* occur—this smack of feudal obedience, feudal slavery, is a point that would materially be gained by putting an end to this trouble once and for all, by fixing a sum, whatever that be, to be given to the jenmi annually. But it may not be possible to achieve this end without sacrificing something on either side. I was tempted to appreciate very considerably the pessimistic point of view expressed by my friend Mr. S. Krishna Pillai with regard to the *bona fides* of this proposal. I also first thought that it was merely a proposal to prolong the agony and avoid the evil day. But even granting that it may be so, I think it is better to give them a chance to prove to the whole world and to this House that they deliberately did it only to prolong it. After all, from the practical point of view we cannot proceed much and we cannot do much with regard to the shaping of this Bill in this Session. That is a very important point to be taken into consideration; and that is why I support the recommital of the Bill on the specific condition—*only on the specific condition*—that if there is no possibility of coming to an understanding before the next session, we should give up all hope and proceed with the Bill as it is. I think there is not much to lose in the meantime either way; and it is better not to avoid the recommittal in view of the prospect of settling this question amicably and without any confusion for all time to come.

MR. S. KRISHNA PILLAI (*Karunagapalli*): But the amendment moved by Mr. Tuppan Nampudiripad, as it is, does not lend itself to any such interpretation.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): If the Bill is to be re-committed to a Select Committee merely on the basis of Mr. Tuppan Namputiripad's amendment, I would oppose it tooth and nail; and I would certainly oppose it with all the vehemence that I can command. Because there is a prospect of ending this whole question in a clean, clear-cut fashion for all time, and litigation can be avoided both on the side of the jenmies and on the side of the kutiyans, I support the re-commital. If honestly all the jenmi representatives here give an undertaking that they are agreeable to such an understanding being arrived at, and that they, in their individual capacity, will do everything to arrive at such a conclusion, I think we ought to consider, in fairness, the amendment for recommittal. If as Mr. Krishna Pillai pointed out, it will lead to an indefinite delay, I also would certainly oppose the proposal. It is only on the clear and specific understanding that, if there is no possibility of coming to an understanding before the next session of the Council, the whole prospect of coming to a settlement should be given up and the Bill proceeded with that I now accept the proposal. There is not much to lose because of the fact that we have not persisted in our claims obstinately but have left the chance of an amicable settlement being come to. Moreover we can show to the world that we have given every possible chance to the jenmi to come to terms, reasonable terms. This is the last chance that we are giving them; and we think it will stiffen us further, and make us more insistent hereafter to refuse any alluring chance that they may put forward at another time of the meeting. In view of the fact that we are not going to gain anything if we proceed with the Bill after objecting to the proposal for recommittal, and in view of the fact that there is not much to loose if the bill is submitted after recommittal before the next session of the Legislative Council, I give a chance for a settlement of this question.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): You are going to make a virtue of necessity. The Bill, as it is, could not be proceeded with; and therefore you are giving a chance. Not because you think one more chance ought to be given?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): In view of both. As a matter of fact even I did not believe the *bona fides* with which they made this proposal. I want to meet that argument, and the whole question has to be considered from the practical point of view.

MR. P. S. MAHOMED (*Nominated*): ബോണഫൈഡിയിൽ വിശ്വസിക്കാതിരിക്കുന്നതിനുള്ള കാരണമെന്താണ്?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I am not prepared to ascribe any reasons for not believing them. I say, if there is doubt with regard to the *bona fides*, even granting that there is no *bona fides*, we can take it that there is not much loss to our interests. That was my point of view. So it is that I propose that we should give this chance;

because as one who has tried to make some study of this problem, I wish to give one more chance so that the whole question could be finally solved, the feudal aspects of it done away with once for all and there may be an abiding peace between the jenmies and the kutiyans. I think no member of this House will gainsay the fact that they all desire the amicable relations of these two classes of people; and I am sure that members will take into consideration the aspect of self-respect that is involved in the term "Jenmi" and "Kutiyan." I am very much concerned with that and I think it will not be improper on my part to go to this extent for trying to solve the problem in that way. I do not know whether the other jenmies will be as generous and far-sighted as Mr. Tuppan Namputiripad. I do not believe that for a moment; but yet I do wish to give them a chance.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : What was the view of Mr. Jathavedan Namputiripad?

MR. K. KUNJU KRISHNA PILLAI (*Quilon*) : Mr. Jathavedan Namputiripad too has categorically stated that he would concur with the views of the other jenmi members of this House and will induce the jenmies to agree with this view. Unless, all the representatives of the jenmies do that, I am not for the recommittal. That is why I categorically stated the conditions under which I support the proposal for recommittal. I am not for the recommittal of any other point except that which has been raised. On these specific understandings, I support the recommittal of this Bill till the next meeting of the council.

MR. A. THANU PILLAI (*Trivandrum*) : I suggest that some of the jenmi members of this House should give an assurance for the recommittal of this Bill on this condition; because I find that so far as the members generally are concerned, there is no definite idea as to what the jenmi members themselves are able to tell us? Let us have some definite assurance as to what their position is and whether they, in their individual capacity, are prepared to support the recommittal of the Bill on the conditions already mentioned? Mr. Krishna Pillai has his own doubts, and every member has.

PRESIDENT: You have not heard them because you were not present.

MR. A. THANU PILLAI (*Trivandrum*) : I think definite statements would be profitable because conditional acceptance is no acceptance at all. I wish to know whether they are *against* the proposal or whether they are *for* it.

PRESIDENT: I believe they have all stated that personally they are agreeable to this course.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I submit, Sir, that if Mr. Jathavedan Namputiripad's view is to be accepted that would tantamount to a negation of the proposal accepted by the House.

PRESIDENT: I think he also stated that he would agree with the views expressed by his colleagues.

MR. S. KRISHNA PILLAI (*Karunagapalli*): He was asked the question, and he said that he would have no objection if his colleagues agreed. This is only an additional statement. Anyhow, let us have an assurance on a firm footing in regard to this matter at least so far as it relates to the three or four jenmi members present here. If they will give us their assurance, I shall myself withdraw my objection.

PRESIDENT: I trust it may be taken that there will be an assurance from the non-official members of the House that, as far as possible, if there are any tenants who are not agreeable to this course, they will try to persuade them as it would perhaps be unfair to get a purely one-sided assurance.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Some kutiyans may not agree to this proposal.

PRESIDENT: That is why I said an assurance from the members that they would try to make the tenants believe this to be the proper course is necessary, just as an assurance from the jenmies was required.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): ഇപ്പോൾ ഇവിടെ നടക്കുന്ന വാദം ജന്മിമാരുടെ ഭാഗത്തുനിന്നും വന്നതാണ്. ഇവിടെ കുടിയാൻ പ്രതിനിധികളായി ആരും തന്നെയില്ലെങ്കിലും ജനപ്രതിനിധികൾ ഉണ്ടെന്നു സമ്മതിക്കാം. സിലക്ട്കമ്മിററിയിലുണ്ടായിരുന്ന രണ്ടു ജന്മിമെമ്പർമാരും അന്നു ഈ അഭിപ്രായം പ്രസ്‌ചെയ്യാതെ ഇപ്പോൾ കൊണ്ടുവന്നിരിക്കുന്നതു നോക്കുമ്പോൾ ഈ ബില്ലിന്റെ വിചാരണ നീട്ടിക്കൊണ്ടുപോകുന്നതിനായി അവർ ശ്രമിക്കയാണോ എന്നു സംശയിക്കേണ്ടിയിരിക്കുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): സിലക്ട്കമ്മിററിയിൽ മി. തുപ്പൻനമ്പൂതിരി ഈ അഭിപ്രായം പറഞ്ഞു.

PRESIDENT: മി. തരകൻ, അങ്ങനെ സംശയിക്കേണ്ട ആവശ്യമില്ലെന്നു മി. കുഞ്ഞുകൃഷ്ണപിള്ള പറഞ്ഞതിൽനിന്നും മനസ്സിലായില്ലേ?

If the time given is only till the next session and is not to be extended, there is nothing to be lost; and we could by that time explore every avenue for arriving at a compromise.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I wish to make a few observations on the motion before the House. It has been generally presumed by some of the members that the offer made from the jenmi side is so alluring that there is not much chance of the tenants not accepting it. A proposal was made by Mr. Tuppan Namputiripad in the Select Committee and on that date many of the kutiyans from the northern taluks of the State were

present. The Select Committee was adjourned on the understanding that the members would ascertain as far as possible the views of the tenants about the offer made by Mr. Tuppan Namputiripad and would come prepared with their views on the matter. Though I could not claim that I have made exhaustive investigation on the matter, as far as my enquiries go, I have to state that the kutiyans in general are not willing to accept the offer made by Mr. Tuppan Namputiripad. The difficulty raised by some of them was that the jenmom properties were usually classed as belonging to higher *tharams*.

PRESIDENT: There may be some who feel like that; but there may, on the other side also, be similar feeling.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): All that I want to say is that one could not say that the offer is very alluring to the tenants as a whole. I asked some of the members coming from the north, from Kottayam and other places, when the Select Committee met for the second time, whether, in their parts, the tenants were prepared to accept the offer. They also were unable to give a definite answer. That is the reason why I asked the Deputy President, when he made his speech, whether the Select Committee would take the evidence of the tenants also in order to ascertain their views.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether it is the opinion of the member that the majority of the kutiyans or the kutiyans' representatives should be examined and their opinion taken into consideration?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not say that the majority of the kutiyans in Travancore should be examined. We refer the Bill to a Select Committee, and the Select Committee is to examine certain important witnesses and come to a conclusion. All that I would suggest is that without ascertaining their views it would not be proper to presume that they are in agreement with this proposal.

PRESIDENT: I do not think there would be any objection to examining some important representatives of the kutiyans.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What I say is that without taking evidence it would be hasty to presume that the proposal is acceptable to the kutiyans as a whole. For my part, I think that the offer made by Mr. Tuppan Namputiripad may be acceptable, and if an assurance, from the jenmi members of this House to the effect that they would persuade their colleagues to accept the proposal, is required, I think that the members of the Council must undertake to persuade the people of their constituencies, jenmies and kutiyans alike, to inquire into this proposal and thus settle the matter which has been pending for centuries.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that the policy of obstruction was pursued by the jenmies and not by the kutiyans?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*); I do not think that the jenmies were pursuing a policy of obstruction with regard to this matter because we know that they could not obstruct the proceedings of this Council or the work of the Government to such an extent as to obstruct further proceedings. Of course they were anxious that a legislation, which will in any way deprive them of their present emoluments, should not be passed at an early date. But, other circumstances also tended to protract the proceedings and delay the passage of the Bill.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇപ്പോൾ ഈ ബിൽ ആലോചനയ്ക്കെടുക്കാതെ വീണ്ടും ഒരു സിലക്ട കമ്മററിക്കയച്ചു കാലം ദീർഘിപ്പിക്കണമെന്നുള്ള അഭിപ്രായത്തോടു യോജിക്കുവാൻ എനിക്കു നിവൃത്തിയില്ല. എന്തെന്നാൽ ഈ രാജ്യത്തെ ജനങ്ങളുടെയിടയിൽ വലിയ അസ്വാസ്ഥ്യതയുള്ള വിഷയമാണ് ഈ ജന്മികുടിയാൻ കാര്യം. ഗവണ്മെൻറിൻെറ അശ്രദ്ധകൊണ്ട് ജനങ്ങളുടെയിടയിൽ ഇതിലധികം അസ്വാസ്ഥ്യതയുളവാക്കിയിട്ടുള്ള ഒരു കാര്യം ഉണ്ടെങ്കിൽ അതു പബ്ലിക്ക് സർവീസിലെ നിയമനകാര്യം മാത്രമേയുള്ളു. ൧൯൧൮-ൽ ഒരു കമ്മിററി ഒരു റിപ്പോർട്ടും ബില്ലും ഗവണ്മെൻറിൽ സമർപ്പിച്ചു. ആ കമ്മിററിയിൽ ഞാനും ഒരംഗമായിരുന്നു. ഹർജികൾവഴിയായും പ്രജാസഭാവഴിയായും ഗവണ്മെൻറിനോടു ആവർത്തിച്ചാവർത്തിച്ചു സങ്കടം പറഞ്ഞുകൊണ്ടിരുന്നതിൻെറ ഫലമായിട്ടാണ് കമ്മിററിയുണ്ടായതു്. ആ കമ്മിററി വളരെ നാൾ രാജ്യം ഒട്ടുക്കു ജനങ്ങളുടെയിടയിൽ സഞ്ചരിച്ചു അവരുടെ അഭിപ്രായങ്ങളും രേഖകളും പരിശോധിച്ചു തയ്യാറാക്കിയ ബില്ലാണ്. ഗവണ്മെൻറിൽ സമർപ്പിച്ചതു്. ൧൩ കൊല്ലമായിട്ടും ഗവണ്മെൻറു അതിനെ ആദരിച്ചു യാതൊരു തീരുമാനവും ഉണ്ടാക്കിയില്ല. ഗവണ്മെൻറു ഇങ്ങനെ യാതൊരു തീരുമാനവും വരുത്താത്തതുകൊണ്ടു വീണ്ടും പ്രജാസഭയിലും നിയമസഭയിലും ഇതിനെ സംബന്ധിച്ചു ഗവണ്മെൻറിനോടു ജനങ്ങളുടെ സങ്കടങ്ങളെ അറിയിച്ചുകൊണ്ടിരുന്നതുകൊണ്ടാണ് ഈ രൂപത്തിലെങ്കിലും ഒരു ബിൽ ഇവിടെ വന്നതു്. ഇതു ജനങ്ങൾക്കു തൃപ്തികരമായ ഒരു ബില്ലല്ല. എങ്കിലും ഈ വാദം ഒരുവിധം അവസാനിക്കുമെല്ലോ എന്നു വിചാരിച്ചിരുന്നപ്പോഴാണ് വീണ്ടും ഇതൊരു സിലക്ട് കമ്മിററിക്കയച്ചു തെളിവെടുക്കണമെന്നു ജന്മിഭാഗത്തുനിന്നും ആവശ്യപ്പെടുന്നതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); ഒരു പായിൻറിനെപ്പററി മാത്രമേ തെളിവെടുക്കണമെന്നു പറയുന്നൊള്ളു.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): പായിൻറു ഒന്നേ ഉള്ളുവെങ്കിലും പലരേയും കണ്ടു ചോദിക്കണമല്ലോ,

PRESIDENT: അതിലേക്കുള്ള സമയവും ചെണ്ഡിതമായി നിശ്ചയിച്ചാണ് സിലക്ട് കമ്മിററിക്കയക്കുന്നതു്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അതു വളരെ നല്ലതു തന്നെ. എന്നാൽ ഒരു പായിൻറിൽ ഇതവസാനിക്കയാണെങ്കിൽ കൊള്ളാം. അതാണ് സംശയം?

PRESIDENT: അടുത്ത കൌൺസിൽ മീററിങ്ങുവരെ അവക്കൊരു സമയം കൊടുത്തു പരീക്ഷിക്കുന്നതിലെന്താണ് നഷ്ടം?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): കാര്യം അസാദ്ധ്യമാണെന്നു എനിക്കു തോന്നുന്നു. ഗവൺമെൻറിലേക്കു കൊടുക്കുന്ന നികുതിയുടെ തോതുകണക്കാക്കി മിച്ചവാരവും മററു ജന്മിഭോഗങ്ങളും ശരിപ്പെടുത്തണമെന്നാണല്ലോ പറയുന്നതു്. കരത്തേയും മിച്ചവാരത്തേയും സംബന്ധിച്ച നോക്കുകയാണെങ്കിൽ തത്വത്തിൽ രണ്ടും രണ്ടാണ്. ജന്മികളോടും കുടിയാന്മാരോടും ചോദിച്ചാൽ വിസമ്മതിക്കുന്നവർ ധാരാളം കാണും. അപ്പോൾ പുറകോട്ടു പോകേണ്ടിവരും. അനേകം ആളുകളുടെ മൊഴികളിൽ നിന്നും രേഖകളിൽ നിന്നും ഞാൻ മുമ്പു മനസ്സിലാക്കിയിട്ടുള്ള ചില കാര്യങ്ങൾ ഇവിടെ വിവരിക്കാം. എന്നിട്ടും ഇതു വീണ്ടും ഒരു സിലക്ട് കമ്മിററിക്കയക്കണമെന്നാണ് തീരുമാനിക്കുന്നതെങ്കിൽ എനിക്കു വിരോധമില്ല.

നികുതി നിശ്ചയിക്കുന്നതു വസ്തുവിൻെറ ഗുണദോഷത്തെ ആധാരമാക്കിയാണ്. ആ തോതു മാത്രമല്ല മിച്ചവാരത്തിനുള്ളതു്. വസ്തുവിൻെറ ഗുണദോഷം, കാണത്തുക ഈ രണ്ടു കാരണങ്ങളിൽ നിന്നുമാണ് മിച്ചവാരമാകുന്ന കാര്യം ഉത്ഭവിച്ചിട്ടുള്ളതു്. ഒരാൾ ഒരേക്കർ നിലത്തിനു ൫൦൦ പറ നെല്ലോ അല്ലെങ്കിൽ നൂറു പണമോ അർത്ഥംകൊടുത്തിരിക്കാം. മറെറാരാൾ അതു പോലെയുള്ള നിലത്തിനു ൨൦൦ പറ നെല്ലോ അല്ലെങ്കിൽ ൨൦൦ പണമോ അർത്ഥം കൊടുത്തിരിക്കാം. ഇവർ രണ്ടു പേരും തമ്മിൽ മിച്ചവാരത്തിൻെറ കാര്യത്തിൽ യോജിച്ച ഒരേതുകയാക്കുവാൻ സമ്മതിക്കുകയില്ല. എന്നാൽ ജന്മിമാരും അങ്ങിനെതന്നെ. ലാഭം ചിലക്കും നഷ്ടം മററു ചിലക്കുമായിരിക്കും. ശരാശരി തട്ടിക്കഴിച്ചു കൊള്ളാമെന്നു വിചാരിക്കാൻ നിവൃത്തിയില്ല. ചിലക്കു വലിയ ലാഭം വരുമല്ലോ എന്നു വിചാരിച്ചു മററു ചിലർ അധികം നഷ്ടം സഹിക്കുവാൻ സമ്മതിക്കുമെന്നു തോന്നുന്നില്ല. ഓരോ ദേശത്തും ഓരോ വിധമായിരിക്കും നടപ്പു. ഇതിനു ഒരു ഐകരൂപ്യം വരുത്തിക്കളയാമെന്നു വിചാരിച്ചാൽ അതു മനുഷ്യർ ഒരേ വണ്ണത്തിലും നീളത്തിലും ഇരിക്കണമെന്നു നിശ്ചയിച്ചു അവരിൽ പൊക്കം കുറഞ്ഞ

വരുടെ പൊക്കം വർദ്ധിപ്പിക്കാനും കുടിയവരുടെ പൊക്കം കുറയ്ക്കാനും പുറപ്പെടുന്നതുപോലെ സാഹസമായി ഭവിച്ചേയ്ക്കാം. മിച്ചവാരക്കാര്യത്തിൽ അത്രവിവിധത്വവും പരസ്പരം യോജിച്ചു ഒരേതോതുവയ്ക്കുവാൻ പാടില്ലാത്ത വണ്ണമുള്ള അന്തരവും കാണുന്നുണ്ട്. എന്നാൽ എല്ലാത്തരം ജന്മിഭോഗങ്ങൾക്കുമായി ഒരു ക്ലിപ്തസംഖ്യ പ്രതിവത്സരം കൊടുപ്പിക്കുന്നതിനു നിശ്ചയിച്ചാൽ അതു സൌകര്യം തന്നെയാണ്. ഈ സൌകര്യത്തേ നോക്കുമ്പോൾ ചില ജന്മിമാർക്കും കുടിയാന്മാർക്കും വലിയ നഷ്ടങ്ങളുണ്ടായേക്കും. ചില ജന്മികൾ മുമ്പു കിട്ടിക്കൊണ്ടിരുന്നതിൽ നാലിലൊന്നേകിട്ടിയെന്നുള്ളു എന്നു വന്നേയ്ക്കാം. അതു പോലെ തന്നെ ചില കുടിയാന്മാർക്കു മുമ്പു കൊടുത്തു കൊണ്ടു വന്നിരുന്നതിന്റെ നാലിരട്ടി കൊടുക്കേണ്ടതായും വരും. കാണഅർത്ഥത്തിനു പലിശയും വസ്തുവിനു പാട്ടവും ആണ് കണക്കാക്കുന്നത്. പാട്ടം എവിടെ കൂടിയിരിക്കുന്നുവോ അവിടെ പലിശയും കൂടുതലായിരിക്കും. അതിനാലാണ് പലിശകുറയ്ക്കുവാൻ പാടില്ലാത്തത്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): സാധാരണ പണ്ടാരപാട്ടം വസ്തുക്കൾ പതിച്ചു മേടിക്കയാണെങ്കിൽ സർക്കാരിലേക്കു കൊടുക്കേണ്ട തറവിലയും വളരെ കൂടുതലായിരിക്കയില്ലേ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): വസ്തു കാണം എഴുതിയപ്പോൾ ഇന്നത്തെ നിലയല്ലായിരുന്നു. ആധാരങ്ങൾ അധികവും വളരെക്കാലത്തിനു മുമ്പാണ് ഉത്ഭവിച്ചത്. അന്നു പലരും നെല്ലായിരിക്കും കാണഅർത്ഥം കൊടുത്തിട്ടുള്ളത്. ഇന്നത്തെ വിലയ്ക്കു അതു പണമാക്കി പലിശവച്ചാൽ ഇപ്പോഴത്തെ പലിശ കൂടുതലല്ലെന്നു കാണാം. അന്നു കൊടുത്തിട്ടുള്ള പണത്തിനു അന്നത്തെ നെല്ലു വില കണക്കാക്കിവേണം പലിശ കൂടുതലുണ്ടോ എന്നു നോക്കുവാൻ. നെല്ലു വിലകൂടിയെന്ന കാരണത്താൽ നെല്ലുപലിശ മുപ്പതിൽ നിന്നു ഇരുപതാക്കാമെങ്കിൽ പണത്തിന്റെ വില കുറഞ്ഞതുകൊണ്ടു അർത്ഥത്തേയും ഇരട്ടിയായി ഇപ്പോൾ കണക്കാക്കണം. കാണാർത്ഥവും പലിശയും തമ്മിൽ കാര്യകാരണബന്ധമുണ്ട്. ഒന്നിനെമാത്രം ഇപ്പോഴത്തെനിലയിലും ഒന്നിനെ പണ്ടത്തെ നിലയിലും ഗണിക്കരുത്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): കാണഅർത്ഥത്തിന്റെ പലിശ കുറയ്ക്കാത്തതു കൊണ്ടു പല തെറ്റുകളും വരുന്നു എന്നു മെമ്പർ പറഞ്ഞു. പണ്ടാരപാട്ട തുകയിൽ നിന്നും കാണ അർത്ഥത്തിന്റെ പലിശ കുറച്ചു കണക്കാക്കിയാൽ മെമ്പർക്കു സൌകര്യമാണോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): പലിശകുറയ്ക്കുന്നതുകൊണ്ടു തെററുകൾ വരുന്നു എന്നാണ് പറഞ്ഞത് ഓരോ വസ്തുവിനു ഓരോ തരത്തിലായിരിക്കും പാട്ടം. ചിലതിൽ പലിശ തട്ടിക്കഴിച്ചുനോക്കാൻ വിഷമമുണ്ടാകും. ആധാരങ്ങൾ പലവിധമാണ്. ഇതിനെ സംബന്ധിച്ചുള്ള എന്റെ അനുഭവത്തെ ഞാൻ തുറന്നുപറയേണ്ടിയിരിക്കുന്നു. തെക്കൻ തിരുവിതാംകൂറിനേയും മദ്ധ്യതിരുവിതാംകൂറിനേയും അപേക്ഷിച്ചു ഉത്തരതിരുവിതാംകൂറിലെ സ്ഥിതി ഒന്നു വേറെയാണ്. ഉത്തരതിരുവിതാംകൂറിൽ വലിയ പാട്ടവും വലിയ പലിശയുമാണ്. പലിശ കുറച്ചു കഴിഞ്ഞാൽ മിച്ചവാരംകൊടുക്കുന്നതിനു മററു വസ്തുക്കളിൽനിന്നുംകൂടി ആദായം എടുത്താലെ സാധിക്കുകയൊള്ളു.

MR. A. THANU PILLAI (*Trivandrum*): വസ്തുവിന്റെ വിലയിൽ കവിഞ്ഞുകാണുന്ന അർത്ഥംകൊടുത്തിട്ടുള്ള കേസ്സുകൾ ഉണ്ടോ? അതായതു കാണം വാങ്ങിക്കുന്നകാലത്തു വസ്തു തീറുവാങ്ങിക്കാനുള്ള വിലയിൽ കവിഞ്ഞവില കൊടുത്തിട്ടുള്ളവർ കാണുമോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അങ്ങിനെകാണുകയില്ല. തീറുവിലയോളം വരുന്നതുകാണം. ആ കാലത്തുപണ്ടാരപ്പാട്ടം ഒഴിപ്പിക്കാമായിരുന്നു. കാണം ഒഴിയേണ്ട.

MR. A. THANU PILLAI (*Trivandrum*): വസ്തുവിന്റെ വിലയിൽ കവിഞ്ഞു കാണഅർത്ഥം കൊടുത്തിട്ടില്ലാത്തസ്ഥിതിക്കു സക്കാർ കരം മുറയ്ക്കു കൊടുക്കുന്നതിൽ എന്താണ് വിരോധം?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അർത്ഥം കൊടുക്കുകമാത്രമല്ല, അതിന്റെ നാലിൽ ഒരുഭാഗം വീതം പൊളിച്ചെഴുത്തുകാലത്തു അനവധികാലമായി കൊടുത്തുകൊണ്ടിരിക്കുകയും ചെയ്യുന്നുണ്ട്. വിലവളരെ തുച്ഛമായിട്ടേ കൊടുത്തിട്ടുള്ളു എന്നിരിക്കട്ടെ. പണ്ടൊരിക്കൽ ൧൦ രൂപാകൊടുത്തു ഒരാൾ വസ്തുവാങ്ങുന്നു. പിന്നീടൊരാൾ അതുപോലെയുള്ള വസ്തു ൧,൦൦൦ രൂപാക്കു വാങ്ങുന്നു; രണ്ടുപേരും ഒന്നുപോലെ അനുഭവിക്കുന്നു കരവും ഒരുപോലെതന്നെ. അർത്ഥവുംപലിശയും മിച്ചവാരവും പലനിലയിലിരിക്കുന്നവരെല്ലാം ഒരേ തോതിൽ ജന്മിക്കരം കൊടുത്താൽ മതിയെന്നു വച്ചാൽ ചിലർക്കു ഇപ്പോഴത്തേതിൽ വലിയനഷ്ടവും ചിലർക്കു വലിയലാഭവും വരുമെന്നതിനു സംശയമില്ല. മദ്ധ്യോത്തരതിരുവിതാംകൂറിലും, ദക്ഷിണതിരുവിതാംകൂറിലും കാണഅർത്ഥംകൊടുത്തിട്ടുള്ള സംഖ്യയുടെയൊ അല്ലെങ്കിൽ വസ്തുവിനു വച്ചിട്ടുള്ള പാട്ടത്തിന്റെയൊ പലിശയുടെയൊ വിഷയത്തിൽ ഐകരൂപ്യമില്ല. ഇപ്പോഴത്തെ വിവിധത്വം നീക്കി ഐകരൂപ്യമാക്കിയാൽ ജനങ്ങൾക്കസങ്കടമുണ്ടാകും. എന്നാൽ കാര്യത്തിനുവ്യക്തതയും വ്യവഹാരത്തിനുകുറവും ഉണ്ടാകുമെന്നു സമ്മതിക്കാം.

MR. A. NARAYANA PILLAI (*Vaikam*): കൂടുതൽ അൎത്ഥംകൊടുത്തവർ കൂടുതൽ അവകാശങ്ങളും കൊടുത്തുവരുന്നുണ്ടെന്നറിയാമോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ശരി. അവകാശം കൊടുത്തുവരുന്നതു ഓരോ ജന്മിമാൎക്കും ഓരോ ദേശവഴിയിലുള്ള രീതിയനുസരിച്ചുംകൂടിയാണ്.

MR. A. NARAYANA PILLAI (*Vaikam*): കാണ അൎത്ഥത്തിന്റെ തോതനുസരിച്ചാണ് അവകാശം അധികവും നൽകുന്നതു്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അങ്ങിനെയാണെങ്കിലും ചിലൎക്കു നഷ്ടവും ചിലൎക്കു ലാഭവും ക്രമത്തിലധികം വരും.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അതു പൊതുവെ ജന്മിമാൎക്കു ദോഷകരമല്ല എന്നു മെമ്പർ വിശ്വസിക്കുന്നുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അതു ഖണ്ഡിച്ചു പറയുവാൻ പാടില്ല. ജന്മിമാരും കുടിയാന്മാരും ഇതു സമ്മതിച്ചാൽ കാൎയ്യത്തിനു സ്പഷ്ടതയുണ്ടെന്നു സമ്മതിക്കാം. ഈ ജന്മിക്കുടിയാൻകാൎയ്യവും കമ്മ്യൂണൽ റിപ്രസന്റേഷൻ കാൎയ്യവും വേണ്ടപോലെ അവസാനിപ്പിച്ചു കഴിഞ്ഞാൽ രാജ്യത്തു ജനങ്ങളുടെയിടയിൽ അധികസമാധാനവും സംതൃപ്തിയും ഉണ്ടാകുവാനിടയുണ്ട്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഇരുകൂട്ടരും സമ്മതിക്കുമെങ്കിൽ അതൊന്നു പരീക്ഷിക്കുന്നതിനു സമയം കൊടുക്കുന്നതു നല്ലതല്ലേ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇതു സാധിക്കുമെന്നു ഗവർമ്മെന്റിനും മററു ജനപ്രതിനിധികൾക്കും അഭിപ്രായമുണ്ടെങ്കിൽ എനിക്കു വിരോധമില്ല. ഞാനും ഒരു കാണക്കുടിയാൻതന്നെ. ലാഭമായാലും നഷ്ടമായാലും ഞാൻ സമാധാനത്തിനും രാജ്യനന്മയ്ക്കും വേണ്ടി അനുഭവിച്ചുകൊള്ളാൻ തയ്യാറാണ്.

PRESIDENT: മി: തുപ്പൻനമ്പൂതിരിപ്പാടിന്റെ അഭിപ്രായത്തിൽ മററു രണ്ടു ജന്മിമെമ്പർമാരും യോജിക്കുന്നുണ്ടോ? അതായതു സൎക്കാർ കരം നീക്കി ശേഷമുള്ളതു കിട്ടിയാൽമതി എന്നുള്ള അഭിപ്രായമാണ്. അതിൽ മി: ജാതവേദൻ നമ്പൂതിരിപ്പാടാണ് സംശയം പറഞ്ഞതു്.

MR. V. N. JATHAVEDAN NAMPUTIRIPAD (*Co-opted*): സമ്മതമാണ്.

PRESIDENT: Somebody was asking if Mr. Jatavedan Namputiripad was agreeable to this proposal. He has now said that he is.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Yes, then I withdraw my objection.

MR. K P. KOCHUKORA TARAKAN (*Kunnatnad*): വടക്കൻ തിരുവിതാംകൂറിൽ കാണപ്പാട്ടവസ്തുക്കളും പണ്ടാരപ്പാട്ടവസ്തുക്കളും ഉൾപ്പെട്ടാണു കിടക്കുന്നതു്. ജന്മവസ്തുക്കൾ -- മുഴുവൻ കരവും കൊടുക്കേണ്ടിവരുന്നു. ഇതു രണ്ടുംകൂടിവരുമ്പോൾ എട്ടിൽ ഏഴാണോ എന്നറിഞ്ഞാൽ കൊള്ളാം.

PRESIDENT: There are very few exceptions.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): പണ്ടാരപ്പാട്ടം വസ്തുക്കളും കാണും. വസ്തുക്കൾ പതിപ്പിച്ചിട്ടുള്ളവയെ അസ്ഥിരപ്പെടുത്തി ജന്മിമാർ കാണവസ്തുക്കളുടെ കൂട്ടത്തിൽ ഉൾപ്പെടുത്തിട്ടുള്ളവയുംകാണും.

PRESIDENT: That will be very rare.

We have had a long discussion over Mr. Tuppan Namputiripad's amendment that this Bill be again referred to the Select Committee. Mr. Tuppan Namputiripad put it on a very wide basis; but the discussion has narrowed it down to one point, namely, that the Select Committee might be instructed or requested to take evidence and report whether there is a general consensus of opinion among the jenmies and the tenants in favour of the position that Mr. Tuppan Nampuripad has taken up, namely, that, in lieu of all rights over the kanom property, which the jenmi is now enjoying, he should get the difference between the pattom, fixed for Revenue proposes by the Government on the land, and the tax that is being paid to the Government. As all the members who spoke on this amendment stated, if it is possible to arrive at an agreed decision to that effect, it will for ever settle, in a very desirable manner, the disputes that have been going on for a long time between the jenmies and the tenants in the country, and will add to the peace and contentment of the people. It will further put an end to all possibilities of quarrels between the two sections of the people of Travancore. The only fear that was voiced by some of the members was that this might be merely a trick for dragging on the consideration of this Bill - I must say that a little bitterness that appeared in some of the speeches could have been avoided—but practically that fear has come to absolutely nothing, because it is agreed that the time to be given to the Committee to submit its report should on this point not extend beyond the next meeting of the Council. I think that a restriction as to time like that may be added to the motion to recommit this Bill to the Select Committee. If that is done the fears that have been voiced in some quarters would become groundless. There can be absolutely no doubt that every one of us here and every one in Travancore outside this Council would be extremely glad if it is possible to settle this question in that way. If as a result of the enquiry that may be held by this Committee - if this Bill is recommitted to-day—if as a result of the enquiry it is found that there is a general agreement on this point, if all the pin-pricks that are now being passed from one side to the other in the relation between the jenmies and the kutiyans can for ever be put an end to, that in itself would be a very great thing

[President.]

gained in the interest of peace and contentment in the State. And, if this Council, during its term, is able, by agreement, to bring about that consummation, I for one think that, that in itself would be a matter for supreme congratulation for the Council. [Mr. K. Madhavan Pillai: *hear, hear*]. We can only hope that all the members of this Council, jenmi members as well as the others, will try their best, exert all the influence that they have got in the country, to see that both sides, the tenants on the one side and the jenmies on the other, appreciate the advantages of the position that is now being advanced and accept the solution that has now been placed before the House.

May I take it that on these conditions, namely, that this point alone will be considered by the committee when the Bill is recommitted to it and that the report of the committee, whether it is the final report or whether it is only an interim report, must be presented before the next meeting of the Council, the Bill may be recommitted for the consideration of the question ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Instead of putting it before the next meeting of the Council you may fix the time, Sir.

PRESIDENT . Yes, we may do it. We may fix a period which will practically expire before the next meeting of the Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall put the motion in English. It will be as follows —

That the Bill be recommitted to a Select Committee to examine and report, after taking evidence, on the following point, *viz.*,

> "Whether in respect of kanapattom lands an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes, and out of that pattom, whatever is left after deducting the Sirkar tax, be taken to be the jenmis' due in lieu of all and every one of their claims."

and if such an arrangement can reasonably be made, to draft and submit the necessary legislative provisions for the same.

If the wording is agreeable, I shall add the time also.

PRESIDENT : Please read that out again, Mr. Paramesvaran Pillai.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That the Bill be recommitted to a Select Committee to examie and report, after taking evidence, on the following point, *viz.*,

> " Whether in respect of kanapattom lands, an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes, and out of that pattom whatever is left after deducting the Sirkar tax, be taken to be the jenmis' due in lieu of all and every one of their claims.

and if such an arrangement can reasonably be made, to draft and submit the necessary legislative provisions for the same.

MR. A. NARAYANA PILLAI (*Vaikom*) : ജന്മിമെമ്പറന്മാരിൽ നിന്നും വന്നിട്ടുള്ള അഭിപ്രായം " ബാക്കി കരം " എന്നുമാത്രമാണെന്നു തോന്നുന്നില്ല. കരത്തിന്റെ എത്ര ഭാഗം ജന്മിമാക്കു കൊടുക്കുന്നതിനു നിശ്ചയിച്ചു?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ബാക്കിയുള്ളതു ജന്മിക്ക കൊടുക്കാമെന്നാണ്.

PRESIDENT: അതിൽ ഏതെങ്കിലും മാററം വേണമെന്നുണ്ടോ?

MR. A. NARAYANA PILLAI (*Vaikom*): Then, why not leave that question to be decided by the Select Committee? Why should we fix it?

PRESIDENT: The Committee's Report will say that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): This is the point that the Committee should consider and report upon. Instead of "if such an arrangement can reasonably be made," I shall say "if *any* such arrangement can reasonably be made."

Then the motion will read thus:—

That the Bill be recommitted to a Select Committee to examine and report, after taking evidence, on the following point, namely,

> "Whether in respect of kanapattom lands, an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes, and out of that pattom, whatever is left after deducting the Sirkar tax, be taken to be the jenmis' due in lieu of all and every one of their claims."

and if *any* such arrangement can reasonably be made, to draft and submit the necessary legislative provisions for the same.

PRESIDENT: It may happen that what they have to suggest would be not merely the modification of the Bill, but an absolutely new provision, which in that case, will have to be introduced in the Council according to the proper procedure and passed. All that is said is, they should submit the necessary legislative provision. Their submitting the provision may not immediately enable us to pass it into a law; but that will be a recommendation which the House and the Government will take into consideration and see how it should be passed. It may be necessary to withdarw this Bill and immediately introduce another Bill containing the provision that they may suggest; and it would then be a sort of an agreed Bill.

MR. A. THANU PILLAI (*Trivandrum*): Since it is the Select Committee that report, will not the recommendation be in such a form that it will be considered by this Council as a Bill in the second reading stage?

PRESIDENT: As far as possible. We cannot fetter their discretion in that way; because we do not know what the final form of their recommendation will be. Suppose the whole thing is to be in a single section and the whole of the existing statute has to be abrogated and one section Regulation alone is to stand?

MR. A. THANU PILLAI (*Trivandrum*): My suggestion is that it may be in such a form, that it would be possible for this House to consider as a Bill for the second reading.

PRESIDENT: Certainly, as far as possible, it will be in that form.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) By consent of the parties the present Bill may be withdrawn by the Law Member, and that Bill introduced forthwith suspending the Standing Orders.

PRESIDENT . We might say 'three and a half months' instead of 'three months' of the Committee to report; because, as we can give a little more time we need not cripple them unnecessarily.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) I would make one suggestion. It would be advisable to bring the legislation to a close, to put in the committee two accredited members of the kutiyans, either co-opted or elected, from the Council. Then the question will be finally solved. Otherwise that will give rise to other questions. Even now there is that objection. The legislation as a whole has not got the full support of the entire kutiyan population of the State.

PRESIDENT : I do not think there is much in that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The Committee will consist of the following members :—

1. Mr. V. N. Jatavedan Namputiripad,
2. ,, C. N. Thuppan Namputiripad,
3. ,, N. Raman Namputiripad,
4. ,, A. S. Damodaran Asan,
5. ,, E. V. Krishna Pillai,
6. ,, Tariathu Kunjitomman,
7. ,, K. P. Abraham,
8. ,, Kayalam Paramesvaran Pillai, and
9. ,, Rao Bahadur K. A. Krishna Aiyangar (*Chairman*).

Rao Bahadur K. A. Krishna Aiyangar will be the Chairman.

PRESIDENT : May I take it that the motion is carried ?

The Deputy President will be the Chairman of the Committee and the Committee will report within three and a half months.

The motion was carried *nem con.*

The House will now rise and meet again at 3-30 to discuss the adjournment motion.

The Council adjourned for lunch at 2 and met again at 3-30 P. M.

ADJOURNMENT MOTIONS.

PRESIDENT : Mr. Krishna Pillai, with regard to the motion which you wanted to move this morning as a matter of urgent public importance, you say that there is definite information that some enterprising foreigner has applied for a monopoly of white clay called kaolin available in Travancore and that Government have decided to grant the same. As a matter of fact, there is no person, foreigner or other, who has applied for a monopoly of white clay called kaolin, nor have Government decided to grant any. I may explain what really has taken place. A tile manufacturing firm at Alwaye applied for a prospecting license to prospect for kaolin in the whole of the Quilon taluk. The Government refused to give a prospecting license for the whole Taluk. On a further

application from that firm, Government have granted a prospecting license for one year for an extent of land, a little less than 5 acres, in the Perinad Pakuthy, Quilon Taluk. That is all that has happened. There is no application for a monopoly. Under these circumstances, Mr. Krishna Pillai, do you press your motion?

MR. S. KRISHNA PILLAI (*Karunagapalli*): On the assurance that Government have not granted any prospecting license and on the assurance that Government will not depart from the old practice, I withdraw the motion.

ADJOURNMENT MOTION *re* SALE OF LANDS FOR ARREARS OF LAND TAX.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Sir, I beg to move the adjournment of the business of the House to discuss a definite matter of urgent public importance, *viz.*, the immediate necessity for issuing orders prohibiting the sale of lands for realisation of arrears of land revenue during the current year.

Sir, this is a matter in which one might indulge in a very long speech if one is inclined to discuss on the several aspects of the economic depression now prevailing in the land. But, I do not propose to do so; because we know it, and we feel it, and ryots also feel the bitterness of the depression in a manner they have never felt before. This has been the burden of the speeches made before this House by several members during the last one year; and the Government also in response to the demands of the people appointed an Economic Depression Enquiry Committee to go into the question and submit proposals. In this connection I have to state that it is regrettable that the report of the Committee is not forthcoming yet. Still it is a consolation to see several of the members who constituted the committee before the House now. Whatever be the causes of this depression, whether they be causes international or purely native or both, whatever that may be, there are certain facts which one cannot dispute. Of course, the bulk of the population of Travancore is agricultural; more than 80 per cent. of the population of the State depend on land for their maintenance, payment of the dues to the Sirkar and other dues also. It is also admitted that value of land is decreasing and that the price of commodities too is on the decrease. Government also, as seen from the report of the Land Revenue Department for the year 1105, admit that there is *dearth of money*, that the price of land is decreasing and the people are unable to pay their kists. It is amusing to read the passage I referred to just now. It reads thus:

> "Increase in the amount involved under this head is reported to be due to dearth of money."

The position of Government seems to be this. They admit that money is dear and that the price of land is also decreasing. They also admit that the ryot is comparatively unable to pay the dues. At the same time they say that increase of the sale of land is due to arrears of

[Mr. N. K. Krishna Pillai,]

tax. Proportionate to the increase of the inability to pay the Government go in for selling away the lands of the defaulting ryots. Sir, in Travancore, land has a special value also because the possession of land confers upon the owner certain political and civic rights as well. Therefore, my submission is that it is certainly not expedient to take coercive action against the land in the first instance whenever a taxpayer makes default. It is all the more inexpedient now since Government themselves admit that the ryots are unable to pay. A perusal of the issues of the Government Gazette will show that there is recently a terrible increase in the number of cases of properties advertised for sale for arrears of land revenue. In a very recent issue of the Gazette I saw the number of lands advertised for sale amounting to more than thousand.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): In which taluk, please?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): It is not in any particular taluk. It is throughout the whole State. So that, the Government, in view of the very hard conditions obtaining among the ryots, and in view of the fact that there is no chance of the depression turning out better for some time to come, in the interests of the well being of the ryots, will do well to stop coercive steps against the poor landowners for a reasonable time, say, at least, till the end of the year.

Even in the nature of the sales that are now being effected there is considerable hardship felt by the ryots in the course of the proceedings taken against the land. In the first place, it is not always that the property, on which the tax is due, that is sold. Other properties of the patta-holder are proceeded against. Very often it is not the land of the defaulter that is sold, but it is the land of the mortgagee. Sir, there is also one instance which came to my notice wherein a Proverthikar purposely delayed to effect pokkuvaravu, because some of he parties did not approach him in a manner in which the latter wanted them to approach. After partition, the allottees got their fair shares and it so happened, one fine morning one or two share-holders who were in possession of their separate items of property saw that their properties were sold away even six months ago. I simply refer this to show the amount of hardship felt by the ryots in general; by reason of the improper procedure by those who are responsible for it. When this state of affairs, in relation to the sale of immovable properties for arrears of revenue—certainly it will take some more time for the economic depression to subside—is reached, in the interests of the well-being of the public, Government should issue instructions that proceedings against property will not be taken in the first instance.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Supposing tax is not realised, can movables be attached?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): If that is done, it is better. My motion is that proceedings against property for arrears of tax must be stopped till the end of the year.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): You refer to both, movables and immovables.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I would like to extend the scope of the motion to movables also. But the motion, as is now worded, does not include that. But if the sense of the House and of the public is that movables also should be included in the motion, I am for it. But there is this distinction to be noted. In the case of movables, the defaulter is aware of its sale. In regard to immovables, clandestine procedure is possible. Very valuable pieces of lands are sold away without giving knowledge of their sales.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is it a normal feature or a peculiar one this year?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): It is normal; but this year it is abnormal.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Is it due to the number of defaulters being large?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will it cause greater hardship if movable properties are attached, because the procedure adopted there is summary?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) But parties are aware of the procedure, though the course is irregular, parties know when distraint is placed upon it. I have no objection to include movables.

As I stated at the start, this is a matter which does not require a long speech, and the request I have to urge is, that Government should take into consideration this all-absorbing matter which entails considerable damage and harm to the public at large.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): As regards Government officers who are drawing fat salaries will my friend exempt them from not paying the arrears of tax?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Certainly not.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): In the case of vakils who get bumper practice, what does my friend say?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): It is difficult to make a distinction when a general course of action is suggested.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): In your motion, what is the scope of the word "ryot".

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I am prepared to concede the concession to officials also, but not to all.

MR. K. GEORGE (*Chief Secretary to Government*): Then, may I know what is to be done for the collection of revenue?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): In the first place Government should proceed against the yield of the property.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Is it always possible to proceed against the yield of the property. There are extensive areas of wet lands in the state. Will it be possible for the normal pakuthi staff to attach the yield of these properties. When the produce is being taken, will it not be causing harm to the ryot?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Only after the harvest, proceedings must be taken.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Harvest by whom please?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): By the owner, of course.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): When attachment is effected, how can the owner get access to the property?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): My point is, that no attachment should be effected. Only movables should be proceeded against.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): So standing crops can be attached. The attachment of moveables is not easy. Supposing 1,000 acres of wet land come under the scope of the attachment, will it be possible for the normal pakuthi staff to attach the same without causing real harm to the land-owner.

MR N. K. KRISHNA PILLAI (*Neyyattinkara*): After the harvest is over, a legitimate portion of the yield can be asked to be surrendered by the owner for purposes of revenue.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Is the member aware that in Kuttanad, harvest is done by coolies brought down from distant places as the number of coolies available locally is insufficient?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I am not conversant with that.

MR. A. THANU PILLAI (*Trivandrum*): From the Account Officer's question, does not the member think that large crops have to be dealt with, and that therefore it is all the more reasonable why ryots should not be troubled?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*). Is it the member's idea that collection of tax should be deferred?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): That is the gist of my motion.

MR. K. GEORGE (*Chief Secretary to Government*): What about the revenue which has to be collected?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): There is the Revenue Recovery Regulation.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Generally tax falls due after the crops are taken. How could Government proceed to attach the properties when the tax is not due ?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Property should be proceeded against only when tax is due.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : If the first crop does not yield anything, what is to be done by the Government ?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Then, the next crop should be proceeded against.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnathur*) : I beg to support the motion. In doing so, I have to meet some of the objections already raised in this House. Some members seem to think and rightly also, that if Government are unable to collect tax due on lands, certainly it would mean insufficiency of funds for Government purposes. There is the instance of the Abkari Department which brings large amounts of revenue and in which, in view of the economic depression and also due to some other causes, Government was sympathetic enough to allow reductions in the matter of kists due from shop contractors. But the case of a landowner is entirely different from the shop conractor in as much as he deserves greater sympathy at the hands of the Government than the contractor who invests money on speculations. If the Government are agreeable to show some sort of sympathy which will bring about some settlement by way of solving difficulties which face the tax-payer, I am quite sure that will be glorified as a gracious gesture. The mover of the motion has wisely made a distinction between movable and immovable properties. In regard to coercive steps against immovable properties, my chief point is, that proceedings against them are likely to affect absentee defaulters. A ryot owning land in a distant place, or in his own place, can very well be kept uninformed of the steps taken against his property, because such advertisements for sale occur only in the Government Gazette which is not generally read by all. There are many instances where even educated people, who are expected to know things better, are ignorant of coercive proceedings taken against their own property, as a consequence of which they might be obliged to part with them.

I do not hold for a moment that coercive steps against movables should be suspended. If such properties are taken possession of, that will be an inducement for the defaulter to collect money somehow and then pay. In the case of standing crops, as suggested by the Financial Secretary, my submission is that in extensive areas, it is not likely that the owners of all lands would be defaulters, and so the extent to which coercive operation has to be taken will also be limited and there will be absolutely no difficulty in proceeding againt standing crops and asking the ryot to pay transport charges also. The other provision, namely, provision for occupation by Government authorities of lands from which tax is due, is now being

[Mr E. V. Krishna Pillai.]

disregarded. In the circumstances, and in view of the depression, such a provision can also be resorted to to relieve a ryot from his helplessness in being forced to part with his land. Statistics will show that in spite of the boasted extent of cultivated areas in the State, the land per head comes to only 68 cents; and if people are forced under such abnormal circumstances to part with their on account of want of sympathy of Government, I think it is inhuman. So, without stopping to raise objections, which may be *prima facie* just, but which on deeper consideration may lend themselves to easier solution when sympathetically viewed, my request is that Government be pleased to issue instructions to the authorities that coercive proceedings be less promptly taken, in the case of immovable properties. With these words, I support the motion.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): I have very great pleasure in supporting the motion before the House. Owing to the economic depression in the State, landowners are suffering considerably; and no other people suffer so much as the land owners. In these hard days, when there is no money in the land, it will be all the more hard if for the default of paying tax the landowners should be deprived of the mainstay of their living. Because of the economic depression, lands will be sold at a very low price. In revenue sales especially, lands will have to be sold for ridiculously low prices unlike ordinary sales. There will not be purchasers forthcoming for revenue sales because of the various difficulties they have to encounter. Without dealing with the various difficulties that purchasers in revenue sales will have to meet, I should say that, at least for the consideration that lands will have to be sold for a low price, some consideration should be shown to the landowners in taking coercive steps against immovable properties. So far as movable properties are concerned, I do not agree with my learned friend. The movables if attached and sold would not bring so much loss to the defaulter as when immovable properties are sold. Moreover, in selling immovable properties additional expenditure will be sustained by the Government, which would also be a charge on the property; and if the sale is to be set aside that amount also would have to be paid by the landowners. This fact should be borne in mind when we consider the question of selling lands. Section 49 provides for attachment of salaries and debts. This recourse is very hardly resorted to by the Land Revenue subordinates. They first of all take it an easy job to attach immovable properties and satisfy their superiors saying that they have taken the necessary steps for realising the tax due from the land. So I say that the motion made by Mr. Krishna Pillai is one that is to be considered by this House in order to give relief to the suffering landowners in this State. With these words, I support the motion.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Sir, there are certain notorious defects existing in the system pursued by Government in realising arrears of public revenue under the Revenue Recovery Regulation Thus the frequent complaints of the ryots of this State

were of no avail. In these days of economic distress, the defects existing in the present system have become very conspicuous and the tax-payers have found, or have begun to feel, these defects all the more keenly. It is only on the basis of this feeling that my friend Mr. Krishna Pillai referred to the defects in the service of demand notices, the sale of immovable properties and also in the process of issuing attachment notices. The Deputy President asked Mr. Krishna Pillai whether these defects were peculiar to 1107. My answer to that question is that these defects have been in existence for a long time and we have begun to feel them more keenly only this year, in these days of economic distress. In former days when immovable properties were sold for arrears of public revenue the owners of properties who had money were in a position to purchase the land or manage to escape without much loss. But in these days, when similar sales are effected, the ryots are unable to resort to or to avail themselves of the methods that were available to them on former occasions. It is only in respect of that that we thought of pointing out these defects at the present moment; and as a conspicuous instance of such defects, I may draw the attention of the House to the provision of the Revenue Recovery Regulation which insists upon a fee of one fanam being paid for the demand notices that they issue. Sir, you will find that in almost every case of arrears of public revenue, demand notices are issued—or the records show that they have been issued. Under the Revenue Recovery Regulation these demand notices have to be issued to the defaulters and that is the person in whose name the *thandaper* stands. The non-official members of this House fully know that the *thandapers* are in very many cases false records as regards defaulters. Persons who are registered holders of lands at the settlement period in 1071 are still retained as the registered holders of these lands. The voters' list prepared and published by Government in accordance with the *thandapers* kept in the pakuthi cutcherries is a very clear and convincing instance of this defect. In spite of the fact that these defaulters are dead, these Proverthicars and Accountants manage to get these demand notices served on them. They manage to bring into record that some demand notices have been served on the defaulters. But when sales are effected and the question comes before the Civil Court we find that persons to whom these notices are issued are persons who died years before the notices were issued. Neverthless the pakuthi staff have the audacity to record that these notices had been served and for such a false notice a fee of four chuckrams is realised.

My next point is that under the Revenue Recovery Regulation a tom-tom fee of 14 chackrams is claimed from every defaulter.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*) : In some cases three-fourths of a rupee is claimed.

MR. S. KRISHNA PILLAI (*Karunagapalli*) ; Yes, in the case of towns like Trivandrum, Alleppey, Quilon and other places tom-tom charges at the rate of 21 chuckrams are realised. I for one am unable to see the

[Mr. S. Krishna Pillai.]

justice of this rule. In the ordinary case of tom-toms made for sales by the Civil Courts the average fee realised from the judgment debtors is only 4 chuckrams. The Civil Court Guide will show that. If the Civil Courts can effect a tom-tom for 4 chuckrams I cannot understand why the Land Revenue Department should insist upon realising 14 chuckrams for tom-tom charges, when it has the notoriety of not having done anything even though these charges are being regularly realised. If for a sale, a fee of 4 chuckrams is realised for tom-tom in the Civil Courts, why should a fee of 21 chuckrams for tom-tom in towns and 14 chuckrams in villages be realised under the Revenue Recovery Regulation ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Is it fee ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : For that purpose you realise half a rupee for tom-tom charges.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : What is the total amount under the Civil Courts Guide ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Under that we have to make tom-tom at various stages. Revenue Recovery Regulation provides for a summary procedure. There is only one demand notice and one tom-tom.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : What is it in the case of Civil Courts ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I may say it is enormous. They would want you to pay at every stage from the moment you put in your application. You have to pay money and that is for the purpose of getting a sale effected in the proper method. But here sale is effected without giving any notice, and without properly performing tom-tom. Charges are realised for this purpose behind the back of the defaulter.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : What is the total cost of the sale in courts ? What is the expense of *lelapadi* ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : It is not more.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : For the drummer ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) ; For the purpose of the labours of the Tahsildar in asking the peon to call out the name of the person, you demand half a rupee. Is it just, I ask ? If under the Civil Court Guide, Civil Courts can effect a sale at a lower rate, whether it be in towns or in villages, I ask the Government whether they could demand 21 chuckrams and 14 chuckrams. Is there not a justification for the revision of the Rules? Could there be such disparity existing between the two systems of sales in the State? Every member in this House will realise that tom-toms by the pakuthi peons or staff are seldom done. But the amount is realised. I, as one coming from the villages, can

assure the House that it is very seldom that the sweet music of the drum of the pakuthi staff is heard by the defaulting land-owner. I can assure that at least, in regard to the places where I have been living.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I believe there were no sales.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Yes, there were sales on innumerable occasions in the Kartikapalli, Karunagapalli and Quilon taluks. Properties were sold in these places. But no tom-tom was made. Still Government have realised, half a rupee from the tax-payer.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*) : Is no amount at all paid to the drummer ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I may say that under the allotment made by the Department a small fee of about Rs. 100 is set apart for each taluk office; and at the end of the year vouchers are obtained and these amounts are written off. I do not know wether a drummer is to be paid without being asked to drum. But Government are being deprived of this small amount at the close of the year. My information is that if all the cases of drumming that are reported to be made in a taluk in one particular year are taken into consideration, and the total amount that is realised from the parties, as also the allotment of Rs. 50 to 100 for each taluk, it would be seen that the provision in the Revenue Recovery Regulation is intended as a provision for exacting some amounts from the tenants, and not for the purpose of complying with the provisions of the Revenue Recovery Regulation. Otherwise, if more than Rs. 200 or Rs. 300 is realised under tom-tom charges, I cannot understand how the taluk officers are able to carry on tom-tom work for Rs. 50 or Rs. 100 as the case may be.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Is not this amount sanctioned by the Council when the Budget is presented ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : We are called upon to sanction for various other things against which we are unable to protest. For that purpose we shall not be held responsible until we get the power to refuse an allotment that is asked for. Under the Land Revenue Regulation this illegal system sprang up for purposes for which they ought not to be demanded. A system is sanctioned and continues by Rules passed under the Statute that a rate of 14 chcukrams should be relised. I suppose if the Government would make an amendment of the Rule and say that hereafter for tom-tom charges only 4 chuckrams would be realised, tenants would be saving 10 chackrams under that head. That is a thing which the Government could do without creating any trouble. With regard to the sale of land for arrears of revenue there are provisions in the Regulation which empower Government to attach crops even before they are ripe, to take possession of the land or of the crop, and to collect them when they are

[Mr. S. Krishna Pillai]

ripe and also to realise arrears of revenue by the sale of movables or immovables. When my friend Mr. Krishna Pillai stated this, the Financial Secretary asked how crops on wet lands could be proceeded against. I may say that if the Government would seriously think of doing something in this matter, I may point out for their information that the whole land revenue due to Government is not due from wet lands. There are garden lands in Travancore, the crops on which can be attached under the Revenue Recovery Regulation; and I hope Government would consider it feasible to attach standing crops on garden lands. If that is done, I suppose, Government would be rendering us some substantial help. If the Government would only put into force Section 25 of the Land Revenue Regulation they will find the difficulty that the ryots now feel. They will find, at the present moment, very difficult to sell crops and realise money. They will find it embarassing that they should be called upon to take possesion of articles which cannot be readily sold. If the Government would put into force Section 25 they will feel the economic distress very keenly. If the Government are of opinion that crops standing on garden lands could be placed under attachment and taken possession of, and if the crops on wet lands are considered, by the Land Revenue Department, too unwieldy, my submission is that there would be no harm in giving us some concession for the payment of revenue due in 1106, or an extension of time for the payment for 1107. I think there would be no harm if the Government adpot a policy whereby this distress could be relieved by giving us further time for payment of land revenue. The suggestion made by my friend Mr. Krishna Pillai, that only movables may be proceeded against, is only a hundredeth portion of the ryots' demand at the present moment. If a concession is granted it must be a liberal concession. If the Government are able to write off the revenue that is due to them for one year the ryots will be greatly thankful to Government. Some time may be granted to them. Their immovables should not be proceeded against; and if that is also impossible I ask Government that some concession may be given to the defaulters by excluding such charges as those for attachment, tom-tom and the like. If Government do not find their way to grant any one of these prayers, I feel, we have spent a lot of time over this matter in vain.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Is the member's appeal on behalf of those who are unable to pay ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Yes; I say that every person feels that he is unable to pay. Instead of leaving the power of discrimination to the Tahsildar, a general rule may be made which will be applicable to all persons. I have got other matters as well to speak upon; but as they do not come under the direct wording of the motion, I do not want to refer to them.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഈ പ്രമേയത്തെ ഞാൻ ബലമായി അനുകൂലിക്കുന്നു. സാമ്പത്തിക

വിഷമംകൊണ്ടു ജനങ്ങൾ പരക്കെ കഷ്ടപ്പെട്ടുകൊണ്ടിരിക്കുന്ന ഈ അവസരത്തിൽ അവരുടെ സ്ഥാവരവസ്തുക്കൾകൂടി വിററുപോകുന്നപക്ഷം അതുനിമിത്തം ഉണ്ടാകുന്ന ഭയങ്കരമായ അസ്വാസ്ഥതയും ജനങ്ങളുടെ നിലയ്ക്കുവരുന്ന കീഴ്മേൽമറിച്ചിലും ഊഹിക്കാൻപോലുംവയ്യ. റഷ്യയിലെ ബോൾഷെവിസംപോലെയോമററൊ വലിയ പരിവർത്തനം സംഭവിച്ചേക്കാം. കരത്തിനുവസ്തുക്കൾവിററാൽ പണമുള്ളവർ ഇല്ലാത്തതിനാൽ അവയ്ക്കു ശരിയായ വില കിട്ടുന്നതല്ല. പണം പലിശയ്ക്കു കൊടുക്കാതെ വച്ചുസൂക്ഷിച്ചുവരുന്ന ചുരുക്കം ചിലരുതന്നെ സ്ഥാവരസ്വത്തിൻെറ ഉടമസ്ഥന്മാരായി തീരുന്നതും. ഇങ്ങിനെ വരുന്നതായാൽ രാജ്യത്തിനു വന്നുചേരുന്ന മാററത്തെപ്പററി എന്താണു പറയുക! റഷ്യയിലെ സ്ഥിതിമാത്രമേ അതിനു ശരിയായിട്ടു പറയാൻ സാധിക്കുകയുള്ളു. അത്ര വലിയ ഭയങ്കരമായ സ്ഥിതി വ്യത്യാസംവന്നേക്കാം. പണം നാട്ടിൽനിന്നു മറഞ്ഞിരിക്കുന്നു. അത്ര വളരെക്ഷാമംഇപ്പോൾ ഉണ്ടോ എന്നു ഗവണ്മെൻറുശങ്കിക്കുന്നുണ്ട്. അല്ലെങ്കിൽ ഈമാതിരിചെയ്യാൻ ഗവണ്മെൻറുവിചാരിക്കുകയില്ലായിരുന്നു. കരക്കുടിശിഖകൾക്കു നടപടിനടത്താതെഅല്പനാളത്തേക്കു നിർത്തിവച്ചിരുന്നു. ഇപ്പോൾക്ഷാമംനീങ്ങിപ്പോയിഎന്നു വിചാരിച്ചായിരിക്കാം ആ ഏർപ്പാട് മാററിയതു്. ക്ഷാമസംഗതി ഗവണ്മെൻറുദ്യോഗസ്ഥന്മാർക്കു അറിയാൻ പാടില്ലാത്തതുകൊണ്ടാണ് ഇങ്ങിനെ പ്രവൃത്തിച്ചിട്ടുള്ളതു്. നിർദ്ദയത്വംകൊണ്ടായിരിക്കയില്ല. ഉദ്യോഗസ്ഥസമൂഹം എന്നാണല്ലോ "ഗവണ്മെൻറ്" എന്നുള്ളതിൻെറ പ്രായോഗികാർത്ഥം. അവർക്ക് ക്ഷാമത്തിൻെറ വാസ്തവസ്ഥിതി അനുഭവിച്ചറിയാൻ ഇപ്പോൾ സാധിക്കുകയില്ല. ദാരിദ്ര്യം ഉദ്യോഗസ്ഥന്മാരേയൊ അവർ അധിവസിക്കുന്നസ്ഥലങ്ങളേയൊ ബാധിച്ചിട്ടില്ല. നാട്ടിൻപുറത്തുള്ളവർക്ക് ക്ഷാമത്തിൻെറ കാഠിന്യം നല്ലവണ്ണം അറിയാം. വളരെ കഷ്ടപ്പെട്ടും അരപ്പട്ടിണിയായിട്ടും ആയിരക്കണക്കിനു സാധുജനങ്ങൾ ഓരോ ഉപകൃതികളിലും ജീവിതം കഴിച്ചുകൂട്ടുന്നു. ഈ നിലയിൽ ഇരിക്കുമ്പോൾ അവരുടെ പുരയിടങ്ങളെക്കൂടി വിററാണൊ അവരെ ആശ്വസിപ്പിക്കുന്നതു്. പ്രജകളോടു കാരുണ്യമായി വർത്തിക്കുന്ന ഗവണ്മെൻറിനു യോജിച്ച ഒരു നയമല്ലിതു്. ഗവണ്മെൻറു നിയമം നിർദ്ദാക്ഷിണ്യമായി നടത്തി നികുതിപിരിക്കുന്നതിനു മാത്രമുള്ള ഒരു സ്ഥാപനമല്ലല്ലോ. പിതാവിൻെറയോ മാതാവിൻെറയോ നിലയിൽ സ്വപ്രജകളുടെ കഷ്ടതകളെയും സങ്കടങ്ങളെയും അറിഞ്ഞു അവയെ പരിഹരിച്ചു രാജ്യരക്ഷചെയ്യേണ്ട ഉൽകൃഷ്ടമായ ധർമ്മംകൂടി

[Mr. Tariatu Kunjitomman.]

ഗവൺമെൻറിനുണ്ട്. അതാണ ജനങ്ങൾ ഗവൺമെൻറിനോട് ഇപ്പോൾ ആവശ്യപ്പെടുന്നത്. അവരുടെ അല്പാല്പമായ നിലം, പുരയിടം, ജംഗമ സാധനങ്ങൾ ഇവയെ വിററു നശിപ്പിക്കുന്ന നിർദ്ദാക്ഷിണ്യമായ നിയമം ഉപയോഗിക്കേണ്ട കാലഘട്ടം ഇതല്ല. ദുസ്സഹമായ ഒരവസ്ഥയാണ് ജനങ്ങൾ ഇന്നനുഭവിക്കുന്നത്. ഇതിൽപരം കഷ്ടമായ ഒരവസ്ഥ ജനങ്ങൾക്കു വരാനില്ല. ആയിരമായിരക്കണക്കിനുള്ള കുഡുംബങ്ങൾ അല്പ പട്ടിണിക്കാരായി കഴിച്ചുകൂട്ടുന്നു. ചെറിയ കൃഷിക്കാരണ് അവർ. കൃഷിയിൽനിന്നുമുള്ള ഉല്പന്നങ്ങൾകൊണ്ടൊന്നും അവൎക്കു നിത്യത കഴിച്ചുകൂട്ടുവാൻ സാധിക്കുന്നില്ല. അവർ കൃഷി ചെയ്തുണ്ടാക്കുന്ന സാധനങ്ങൾക്കു വില വളരെ കുറഞ്ഞുവരുന്നു. ക്ഷാമത്തിൻെറ ആദ്യത്തെ നില സ്വല്പം സഹിക്കാമായിരുന്നു. അപ്പോൾ ഉണ്ടായിരുന്ന സ്വൎണ്ണാഭരണങ്ങളൊ മററൊ പണയംവച്ച് അവർ കഴിച്ചുകൂട്ടി. ഇപ്പോൾ അതും കൈവിട്ടു പോയി. വിഷമത്തിൽ സഹായിക്കേണ്ട ഗവർമെൻറു വീടും പുരയിടവുംകൂടിവില്പിച്ചാലവൎക്കെന്തു ഗതി.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): ജംഗമസാധനങ്ങളെ വില്ക്കുന്നതിൽ വിസമ്മതം ഉണ്ടോ ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): സ്ഥാവരവസ്തുക്കൾകൂടി ഇപ്പോൾ വില്ക്കാൻ പാടില്ല. പിന്നെ മററുള്ളവയെപ്പററി പറയേണ്ട. ഈ രാജ്യത്തെ ഭൂരിപക്ഷം ജനങ്ങളും സാധു കൃഷിക്കാരാണ. അവർ വലിയദാരിദ്ര്യക്കുണ്ടിൽ പതിച്ചിരിക്കുകയാണ്. ഈ അവസരത്തിലാണോ അവരെ രക്ഷിക്കേണ്ടവർ അവർ കിടക്കുന്ന കട്ടിൽ, പായ്, ചട്ടി, കലം, പെട്ടി, കടമുതലായ ഗൃഹസാധനങ്ങളെ നിർദ്ദാക്ഷിണ്യമായി റവന്യൂ ഉദ്യോഗസ്ഥന്മാരെക്കൊണ്ടു വില്പിക്കേണ്ടത്.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): അതിൽ ചില സാമാനങ്ങളെ റവന്യൂറിക്കവറി റഗുലേഷൻപ്രകാരം വിററുകൂടെന്ന് ഉള്ളതായി അറിയാമോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അങ്ങിനെ കൃഷിക്കുള്ള ചില സാധനങ്ങൾ അല്ലെ ഉള്ളൂ. ബാക്കിയുള്ളതു പോയാൽ നിത്യത എങ്ങിനെ കഴിക്കും. അതു ഗവർമെൻറാലോചിക്കേണ്ടേ. ഗവൺമെൻറിനോടു പ്രജകൾ അഭയം അൎത്ഥിക്കുമ്പോൾ നിർദ്ദാക്ഷിണ്യമായി നിയമം ഉപയോഗിച്ചു ജനങ്ങളെ ദരിദ്രരാക്കി അവരുടെ സൎവ്വസ്വവും അപഹരിക്കുന്ന നയം ഗവൺമെൻറു സ്വീകരിക്കാമോ? രാജ്യത്തു ഇങ്ങിനെ ഒരു ആപൽഘട്ടം വന്നിട്ടില്ല.

അതു് ഗവൺമെൻറിനല്ല, ജനങ്ങൾക്കാണ്. ഇരുപത്തിഅഞ്ചു വർഷത്തിനുമുമ്പ് ഇന്നത്തേതിൽ മൂന്നിലൊന്നു നികുതിമാത്രമെ ഉണ്ടായിരുന്നുള്ളു. ഇപ്പോൾ അതിൻെറ മൂന്നിരട്ടി നികുതി വർദ്ധിച്ചിരിക്കുന്നു. അതു പെട്ടെന്നു കുറയുന്നു. ഗവൺമെൻറു എന്തു ചെയ്താലും പ്രജകളെ എത്ര ഞെക്കിപ്പിഴിഞ്ഞാലും കാലസ്ഥിതി ഇങ്ങനെയാണെങ്കിൽ മുതലെടുപ്പു മൂന്നിലൊന്നായി കുറയും. പിന്നെ എന്താണു ചെയ്ക. അതു പറയാം. ഉദ്യോഗസ്ഥന്മാരുടെ സംഖ്യയും ശമ്പളവും വളരെ കുറയ്ക്കണം. ഇതൊരാപൽഘട്ടമാണ്. ഉദ്യോഗസ്ഥന്മാരും ഇതിൽ പങ്കുകൊണ്ടു നമ്മോടു സഹകരിച്ചു പ്രവർത്തിക്കേണ്ടതാണ്. അവരുടെ ഉയർന്നനിലയ്ക്കും ജനങ്ങളുടെ നിലക്കും തമ്മിൽ ഇപ്പോൾ യാതൊരുസാമ്യവുമില്ല. വെള്ളംപൊങ്ങികിടന്നതിൻെറ ലവലിൽതന്നെ ആററിലെ വെള്ളം താണശേഷം വഞ്ചിയെ തൂണുനാട്ടി ഉയർത്തിവച്ചാൽ അതിൽ ഏണിവച്ചു ജനങ്ങൾ കയറേണ്ടിവരും. ജനങ്ങൾക്കുപദ്രവമല്ലാതെ ഉപയോഗമില്ലെന്നും വരും. രാജ്യത്തെ സാമ്പത്തികലവലനുസരിച്ച് ഉദ്യോഗസ്ഥന്മാരുടെ നിലയുംവരണം. മദ്ധ്യതരത്തിലും ഉയർന്നതരത്തിലും ഉള്ള ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളം കുറയ്ക്കുന്നതായാൽ ജനങ്ങൾക്കനുകൂലമായ പല സംഗതികളും ചെയ്വാൻ ഗവൺമെൻറിനു സാധിക്കും. അതു് ഉടനടി തന്നെ ചെയ്യേണ്ടതാണ്. ഉദ്യോഗസ്ഥന്മാരോടുള്ള വിരോധംകൊണ്ടോ അവരാൽ ആരുടെയെങ്കിലും ശമ്പളം കുറച്ച് അവരെ കഷ്ടപ്പെടുത്തണമെന്ന ആഗ്രഹംകൊണ്ടോ അല്ല ഞാൻ ഇപ്രകാരം പറയുന്നതു്. ഞങ്ങളുടെ സഹോദരന്മാരായ ഉദ്യോഗസ്ഥന്മാരുടെക്ഷേമത്തിലും ഞങ്ങൾ ശ്രദ്ധയുള്ളവരാണ്. അവർ കൂടുതൽ ക്ഷേമത്തോടുകൂടിയിരിക്കണമെന്നുതന്നെയാണ് വിചാരിക്കുന്നതു്. എന്നാൽ ഈ അർദ്ധപട്ടിണിക്കാരും മുഴുപ്പട്ടിണിക്കാരുമായ കർഷകന്മാരുടെ കഷ്ടതകൾക്ക് അല്പാല്പം കുറവു വരുത്തുതിനുള്ള ചില ദാക്ഷിണ്യങ്ങൾ ചെയ്യുന്നതിനും ഗവൺമെൻറിൻെറ സാമ്പത്തികശക്തി വർദ്ധിപ്പിക്കുന്നതിനും ഈ വമ്പിച്ച ശമ്പളങ്ങളെകുറയ്ക്കണം. ൫൦൦ ഉറുപ്പായ്ക്കുമേലുള്ള ശമ്പളം പകുതിയും ൨൫ ഉറുപ്പായ്ക്കുമേൽ നൂറു ഉറുപ്പാവരെ നാലിലൊന്നും കുറയ്ക്കണം. ൨൫ ഉറുപ്പാക്കു താഴെ ശമ്പളം കുറയ്ക്കാൻ പാടില്ല. അങ്ങിനെ കുറച്ചാൽ കുടുംബരക്ഷയ്ക്കു വേണ്ടി അവർ ജനങ്ങളെ കൂടുതൽ ഉപദ്രവിച്ചുതുടങ്ങും. പല ഡിപ്പാർട്ട്മെൻറും ഇപ്പോൾ നിർത്താം. പലതിലേയും ഉദ്യോഗങ്ങൾ വളരെ കുറയ്ക്കാം. ഇങ്ങനെയെല്ലാം ചെയ്തില്ലെങ്കിൽ മുതലെടുപ്പു മുഴുവനും ഉദ്യോഗസ്ഥന്മാർക്കു കൊടുക്കാൻ പോലും തികയാതെ വരാം.

[Mr. Tariatu Kunjitomman.]

പുറത്തു കടംകൊടുത്തിട്ടുള്ളതിനെ തിരിയെ വാങ്ങിക്കണം; അതു് പെട്ടെന്നു തിരിയെ കിട്ടിയില്ലെങ്കിൽ അതിനെ സിക്യൂറിട്ടിയായി വച്ചു് വേറെ സ്ഥലത്തുനിന്നു പണം വാങ്ങിക്കണം. ഇങ്ങിനെ കടംകൊടുത്തിരിക്കുന്നതു് ആപൽഘട്ടങ്ങളിൽ ചിലവാക്കുന്നതിനു് കരുതിവയ്ക്കുകയാണു് എന്നു കൌൺസിലിൽ പ്രസ്താവിച്ചിട്ടുണ്ടു്. ഇതിൽപരം ഒരു ആപത്തു വരാനുണ്ടോ? ഈ ഘട്ടത്തിൽ ആ പണങ്ങളെ ഉപയോഗിക്കേണ്ടതാണു്. കുടുംബത്തിലെ അംഗങ്ങൾ പട്ടിണി കിടക്കുമ്പോൾ മേൽ ഉപയോഗിക്കുന്നതിനായി പണം പുറത്തു കടംകൊടുത്തിരിക്കുന്നു എന്നു പറയാൻ പാടില്ല. കുഞ്ഞുങ്ങൾ പട്ടിണികിടന്നു മരിക്കാൻ പോകുമ്പോൾ അവർക്കുമേലിൽ എന്തെങ്കിലും തൊഴിൽചെയ്തു ജീവിതം കഴിക്കുന്നതിനുപണം കടംകൊടുത്തിരിക്കുന്നു എന്നു പിതാവിനു സമാധാനംപറഞ്ഞുനില്ക്കാമോ? ആയിരക്കണക്കിനു സാധുക്കൾ പട്ടിണികിടക്കുന്നു. അവരുടെ സങ്കടങ്ങളെ ഗവമ്മെന്റിന്റെ ശ്രദ്ധയിൽ കൊണ്ടുവരേണ്ടതു ജനപ്രതിനിധികളായ ഞങ്ങളുടെ ചുമതലയാണു്. ഇതു പരമാർത്ഥമാണോ എന്നു ശങ്കയുണ്ടെങ്കിൽ ശരിയായിഅന്വേഷിച്ചാൽ വാസ്തവം അറിയാം. ജനപ്രതിനിധികളായ ഞങ്ങൾക്കു എന്തു ചെയ്യാം. വാസ്തവം ഗവമ്മെന്റിന്റെ ശ്രദ്ധയിൽ കൊണ്ടുവരുവാൻ മാത്രമെ സാധിക്കൂ. രാജ്യം മുഴുവൻ കൃഷിക്കാരെക്കൊണ്ടു നിറഞ്ഞിരിക്കുന്നു. അവർ ഉണ്ടാക്കുന്ന ഉല്പന്നങ്ങൾക്കു വിലയില്ല നാളികേരത്തിനു വില കൂടീട്ടില്ലെ എന്നു ഫിനാൻഷ്യൽ സെക്രിട്ടറി ചോദിച്ചു. നാളികേരം മൂന്നിലൊന്നായി കുറഞ്ഞു, വില എട്ടിൽ ഒന്നു പോലുംകൂടിട്ടില്ല.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഇഞ്ചിപ്പുല്ലിനു അതുപോലെ വിലകൂടീട്ടില്ലെ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇല്ല. കുറെമുമ്പു ൧൮ രൂപാവിലയായിരുന്നതു് ഇപ്പോൾ ഢസനു് ൧൨ രൂപായായിരിക്കുന്നു. ആറു് രൂപാകുറവാണു്. കുരുമുളകിന്റെ വിളവു് ഇപ്പോൾ നാലിലൊരുഭാഗം മാത്രമെ ഉള്ളൂ. അതിനും സ്വല്പം വിലകൂടി എന്നു് പറയുന്നതുകൊണ്ടു പ്രയോജനമില്ല. സാധനങ്ങൾ തന്നെകുറഞ്ഞു; വിലയും അങ്ങിനെ തന്നെ. പല വിധത്തിലും കഷ്ടതയിലും ബുദ്ധിമുട്ടിലും അകപ്പെട്ടിരിക്കുന്ന ജനങ്ങൾക്കു വേണ്ടിയാണു് അടുത്തകർക്കടകംവരെ ലേലം മാററിവയ്ക്കുന്നതിനു ഒരു അനുവാദം കൊടുക്കണമെന്നു ഗവമ്മെന്റിനോടു് അപേക്ഷിക്കുന്നതു്.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*): നെല്ലിനു വിലകൂടീട്ടുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇല്ല.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): നെല്ലിനു ബഡ്ജറ്റു കാലത്തു നാലരപ്പണം വിലയായിരുന്നതു് ഇപ്പോൾ അഞ്ചരപ്പണമായിട്ടില്ലേ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ബഡ്ജറ്റു് കാലത്തെ വിലയിൽ കൂടുതൽ വില ഇപ്പോൾ ഇല്ല. നാലരപ്പണം അന്നും ഇന്നും ഇല്ല.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*); ബഡ്ജറ്റു് കാലത്തെക്കാൾ ഇപ്പോൾ എണ്ണയ്ക്കു് വിലക്കൂടുതലില്ലേ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): നാളികേരം വളരെ കുറവാണു്. വില സ്വല്പം കൂടിയാലും, കൃഷിക്കാൎക്കു രക്ഷയില്ല. കുരുമുളകും അതുപോലെതന്നെ.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അവയുടെ വിലയ്ക്കു് ഇപ്പോൾ സ്വല്പമെങ്കിലും വ്യത്യാസമുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): നാട്ടിൽ ആകപ്പാടെ വിളവിനു വ്യത്യാസം വന്നിട്ടുണ്ടു്. വില സ്വല്പം കൂടിയും കുറഞ്ഞും ദിവസംപ്രതിയിരിക്കുന്നു. വെള്ളം കയറി നെല്ലു കൃഷിക്കും നഷ്ടം ഉണ്ടായിട്ടുണ്ടു്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): സാധനങ്ങളുടെ വിലസ്വല്പം കൂടിയിട്ടുണ്ടെന്നു വിശ്വസിക്കുന്നുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): സാധനങ്ങൾക്കല്ലേ വില. ഇല്ലാത്ത സാധനങ്ങൾക്കു വിലകൂടി എന്നു പറയുന്നതുകൊണ്ടു് എന്താണു് അൎത്ഥം. സാധനങ്ങൾ വളരെകുറഞ്ഞു; വില സ്വല്പംകൂടിയും കുറഞ്ഞും അനിശ്ചിതമായിരിക്കുന്നു. നാളികേരം, കുരുമുളകു് ഇവിയുടെ വിളവു് വളരെ കുറഞ്ഞിട്ടുണ്ടു്. ആവശ്യമുള്ള നെല്ലു കിട്ടിയിരുന്നെങ്കിൽ ആഹാരം കഴിക്കാമായിരുന്നു. കന്നിപ്പൂവിലെവിളവു ആറുതീരങ്ങളിൽ പാടെ നശിച്ചുപോയി. പറവൂർ മൂവാററുപുഴ മുതലായ താലൂക്കുകളിലാണു് കൂടുതൽ നാശം ഉണ്ടായിട്ടുള്ളതു്. അതുകൊണ്ടു കൂടിയാണു് കരത്തിൽ ദാക്ഷിണ്യം ചെയ്തുതരണമെന്നു ആവശ്യപ്പെടുന്നതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): കരക്കുടിശ്ശികയ്ക്കു് ലേലത്തിൽ വിൽക്കുന്നവസ്തുക്കളെ ലേലം വിളികേൾക്കാൻവരുന്നതു് ഈ കൃഷിക്കാരല്ലേ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry North*): പണം ഉണ്ടെങ്കിൽ ഏതു പൗരനും ലേലം വിളികേൾക്കാൻ തയ്യാറാകും. ഉദ്യോഗസ്ഥന്മാൎക്കു പണം ഇപ്പോഴെഉള്ളു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അവർ കൃഷിക്കാരാണോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അവരിൽ കൃഷിക്കാരും ഉണ്ടായിരിക്കും. ഉദ്യോഗസ്ഥന്മാരിലും ചിലർ കൃഷിക്കാരാണ്. അവരുടെ വരവിനു കുറവില്ലാത്തതുകൊണ്ടു അവൎക്കുചുരുങ്ങിയസംഖ്യയ്ക്കു വസ്തുക്കൾ ലേലത്തിൽ പിടിക്കാം.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): മുമ്പ് ഇതു സംബന്ധിച്ചു വസ്തുക്കളെ വില്പന നടത്തി വന്നിരുന്നില്ലെന്ന് അറിയാമൊ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഈ രാജ്യത്തു മുമ്പു അങ്ങിനെ നടപ്പില്ലായിരുന്നു. ജംഗമങ്ങളെ ജപ്തി ചെയ്തുകളയുമെന്നു ഭയപ്പെടുത്തും. പിന്നിട്ടുവല്ലരെനാം കഴിഞ്ഞും കുടിശ്ശിഖ കിട്ടാതിരിക്കുന്നെങ്കിൽ മാത്രമെ ലേലം ചെയ്തിരുന്നുള്ളു. ഇപ്പോൾ അതു ഒന്നും കൂടാതെ ഉടൻതന്നെയാണ് ലേലം ചെയ്തു വരുന്നതു്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഗസററിൽ കാണുന്ന വസ്തുക്കൾ അത്രയും വാസ്തവത്തിൽ വിററു പോകുന്നുണ്ടൊ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഉണ്ടായിരിക്കും.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*): ഇടപ്പള്ളിസ്വരൂപത്തിലേക്കു കരംകൊടുക്കുന്ന വസ്തുക്കൾ സ്ഥിതിചെയ്യുന്ന കല്ലൂപ്പാറ പകുതിയിലേക്കും ഈ സഹായം ചെയ്തുകൊടുക്കേണ്ടതല്ലെ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): എല്ലാ പകുതികളിലും ഈ സഹായം ചെയ്യണം. എന്നാൽ പ്രമേയത്തിൽ പ്രസ്താപിച്ചിട്ടുള്ളതു് ഈ ആണ്ടിൽ കരം കൊടുക്കാത്തവരുടെ മേലുള്ള നടപടികൾ നിൎത്തിവയ്ക്കണമെന്നാണ്. ജന്മിമാരുടെ കാൎയ്യത്തിലും ഈമാതിരി ചെയ്യുയാണെങ്കിൽ കൊള്ളാം. അതുകൊണ്ടു് കൃഷിക്കാരായ ജനങ്ങളുടെ സങ്കടപരിഹാരത്തിനുവേണ്ടി ഈ സഹായം ചെയ്യണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി പ്രമേയത്തെ ഞാൻ ബലമായി പിൻതാങ്ങുന്നു.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Sir, I rise to support the motion before the House. It has been a common complaint from all parts of the State that those who are responsible for the collection of land revenue are exercising their authority in a manner most detrimental to the interests of the tax-payer. It seems, they are bent upon collecting the dues to Government at any cost. In my constituency, for instance, I know several instances in which immoveable properties have been sold for very small amounts of arrears of land revenue. But

in this, Sir, I do not find fault with those who are directly responsible for the collection as much as with the Government. Had the Government issued timely orders that all coercive measures should be stopped, such a state of affairs would not have come about. What all enlightened and civilised Governments do at such times of economic distress is that they would view the situation more sympathetically and do everything in their power to mitigate such distress. In the case of the people in rural areas who have been greatly affected by the economic depression, to add fuel to the fire, the recent floods have also done much havoc. In these circumstances, if a land-holder does not pay the dues to Government in time, it should certainly be due to his sheer inability to pay. Therefore, I would very earnestly request the Government to stop all coercive measures at least for this year. It is also my ardent desire that, if possible, the Government should remit at least fifty per cent of the land revenue for this year. We hear very often that, in times of famine and in times of such economic depression, such remissions *are* being made in other parts of India also. With these words, I support the motion.

MR. O. M. THOMAS (*Kottayam*): I should like to hear the views of the official members on this matter.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Comissioner*): As a matter of fact we would like to hear more from the other side.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavancode*): എന്റെ മാന്യസ്നേഹിതൻ മിസ്റ്റർ റ്റി. കെ. കൃഷ്ണപിള്ള ഇവിടെ അവതരിപ്പിച്ച അടിയന്തിര പ്രമേയത്തെ ഞാനും അനുകൂലിക്കുന്നു. ഈ സംസ്ഥാനത്തിന്റെ ഇന്നത്തെ സാമ്പത്തികനിലയ്ക്കു് ഇതു് ഏററവും അത്യാവശ്യമായ ഒരു പ്രമേയമാണു്. ഇന്നത്തെ ക്ഷാമസ്ഥിതികൊണ്ടു് സാധുക്കളായ കൃഷിക്കാർ വളരെ വളരെ സങ്കടം അനുഭവിച്ചുവരുന്നു എന്നുള്ളതു് ഒരു പരമാർത്ഥമാണെന്നു് എല്ലാവരും സമ്മതിക്കുന്നതാണല്ലോ. ഭൂനികുതി വളരെ കൂടുതലും കിട്ടുന്ന ആദായം വളരെ കുറവുമാണു്. സാമാനങ്ങൾക്കും വില വളരെ കുറവാണു്. ഈ നിലയിൽ കിട്ടുന്ന ആദായംകൊണ്ടു് അവരുടെ നിത്യവൃത്തിപോലും കഴിച്ചുകൂട്ടാൻ നിവൃത്തിയില്ലാത്ത ഈ ഘട്ടത്തിൽ അവരെ കഴിയുന്നതും സഹായിക്കേണ്ട കടമ ഗവണ്മെന്റിനുണ്ടല്ലോ. ഇവിടത്തെ ജനങ്ങളുടെ കാലക്ഷേപമാർഗ്ഗം പ്രധാനമായി കൃഷിഅല്ലാതെ വേറെ പറയത്തക്ക യാതൊരു തൊഴിലും ഇല്ല. നാലഞ്ചു കൊല്ലത്തിനുമുമ്പു് തക്കലയിൽ പഞ്ചസാര ഉണ്ടാക്കുന്ന ഒരു സ്ഥാപനം ഏർപ്പെടുത്തി. അതിനെപ്പററി അധികം പറയേണ്ട സന്ദർഭം ഇതല്ലെങ്കിലും ചുരുക്കിപ്പറയുകയാണെങ്കിൽ ആ സ്ഥാപനം കൊണ്ടു യാതൊരു പ്രയോജനവും ഇല്ലാതെ അതിന്റെ യന്ത്രങ്ങളെല്ലാം

[Mr. R. S. Subrahmanya Pillai.]

അകാലമരണത്തെ പ്രാപിക്കത്തക്കനിലയിൽ ഇപ്പോൾ വന്നിട്ടുണ്ടു്. അതിനു ഗവൺമെൻറിൻെറ വലിയ ആനുകൂല്യംകിട്ടുമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി പലരും അതിൽ അംഗങ്ങളായി ചേരുകയും അതു അനേകായിരം ജനങ്ങൾക്കു് ഒരു കാലക്ഷേപമാർഗ്ഗമായിതീരുമെന്നു് ആശിക്കുകയും ചെയ്തിരുന്നു. അതു് ഇപ്പോൾ നിരാശയിലാണു അവസാനിച്ചിരിക്കുന്നതു്. അതിനാൽ ഈ ഘട്ടത്തിൽ കൃഷിക്കാരെ എത്രത്തോളം സഹായിക്കാൻ കഴിയുമൊ അത്രത്തോളവും അവരെ സഹായിക്കേണ്ടതു് ഗവൺമെൻറിൻെറ ചുമതലയാണു്. സ്ഥാവരവസ്തുക്കൾ ലേലം ചെയ്യുന്ന ഏർപ്പാടു് ഈയിടെ ഒരു കച്ചവടമായി തീർന്നിട്ടുണ്ടു്. റെവന്യൂ ജീവനക്കാർ ലേലത്തിനു് നിശ്ചയിച്ചിട്ടുള്ള തീയതി കൂടെ അറിയാൻ സാധിക്കാതെ ഇരിക്കുന്നതു നിമിത്തം പലപ്പോഴും വസ്തുക്കൾ സുലഭമായി പലരും കയ്യിലാക്കുന്നുണ്ടു്. ഈ ഭയങ്കരമായ അവസ്ഥയിൽനിന്നും സാധുക്കളായ കൃഷിക്കാരെ രക്ഷപ്പെടുത്തുന്നതിനായി സ്ഥാവരവസ്തു ലേലംചെയ്യാൻ പാടില്ല എന്നു് അവതരിപ്പിച്ചിട്ടുള്ള ഈ പ്രമേയത്തെ അനുകൂലിച്ചു കൊള്ളുന്നു.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Sir, coming as I do, from a taluk which is most affected by the present economic distress, I also wish to support the motion now before the House. The phenominal fall in prices of the products of the cocoanut tree has rendered my constituency one of the poorest in the State, though, even in former times, it was not very rich. To add to our distress, the recent floods—heavy floods—destroyed completely the Kanni crop in my taluk. Government, having received the report of the authorities who had been deputed to enquire into the matter, have, I believe, sanctioned a remission of a portion of the land tax in our taluk. We are very thankful to them for that. But, I have to bring to the notice of this House and of the Government that the subsequent circular that has been sent to the taluk authorities by the Government, has rendered the kindness, with which they granted the remission, futile. The recent circular directs the taluk authorities to enquire as to which of the landholders try to raise a second crop in their lands in order that the Government may order that such land-holders would not be entitled to any remission. Sir, the tax due to Government can only be a portion of the income from land. In fact, it ought to form a portion of the income that the land-holder gets from the land. The major portion of the income ought to go for the maintence of the land-holder and his family. Under such circumstances, if, finding that all his investment and work on his land has been rendered useless by unkind Providence, a cultivator tries to cultivate his land once again, should that be treated as an offence so as to deprive him of the right to get the tax on *his* land remitted just like that of every other cultivator in the locality?

PRESIDENT: Are the lands, that you are now referring to, taxed as double-crop lands or as single-crop lands?

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Some are double-crop lands and others are single-crop lands.

As a matter of fact, the remission that the Government have granted gives the cultivator very little relief. He is really in need of further relief.

They are trying to get the Government do something more for them. Under these circumstances, if lands are sold in public auction—as they are now being done in different parts of the country—the people will not be able to pay at all. With these observations, I heartily support the motion before the House and once more request the Government to lend adequate of relief to my taluk and to relieve the distress there.

MR. A. THANU PILLAI (*Trivandrum*): Sir, is not Mr. Robinson still satisfied with the speeches of the members on this side of the House?

PRESIDENT: I do not think it is *his* fault that he has not stood up to speak. Whenever he rose up, some member or other on this side rose up to speak.

MR. S. C. H ROBINSON (*Land Revenue and Income Tax Commissioner*): Sir, I have listened very carefully to all that has been said by the various members on the present motion before the House. I can assure the House that the Government are very sympathetic over the matter and that they are fully aware of the difficulties which the agriculturists now have in the matter of payment of land-revenue owing to the fall in prices and the present financial difficulties in the country. But I think that Travancore can pride itself on the fact that our Government have done more in the present financial difficulties than elsewhere. I know that the land-owners in Madras approached Government for postponement of the payment of tax. But that was refused on the ground that it would be a heavy burden for them to pay later on, whereas in Travancore, we find that the first thing the Government did was to appoint an Economic Depression Enquiry Committee which consisted of officials and *non-officials*. I was not here at the time, but I understand that the committee went all round the affected parts, took evidence and made recommendations. Government in consequence of those recommendations and other facts before them have granted a lot of concessions, and have done their best to give help to the people in every direction. I might just quote some of the concessions and instances of help which Government have afforded. In the case of those who paid their dues for the Meenam kist, of 1106, before the end of the year, no demand notice fees were to be recovered. Another concession was that the Tahsildars were asked to give an extension of time for payment of tax until the end of the year in deserving cases.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): When was that order issued and for how long was it in force?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax-Commissioner*): Probably the member is in possession of those facts, but I was not here. The date of that order is 30-7-1931.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*): It was issued during the close of Meenom and it was in operation for 33 days.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): At any rate, they were asked to do that, and not to resort to coercive measures until after the expiry of the extended period. Government also postponed the realisation of land tax, until further orders, by coercive process in accordance with the terms of the Government order No. 2764/Rev., dated 14-7-1931. They also reduced the tax on rubber lands on account of the present financial position.

MR. L. J. T. POLGREEN (*Planters*): Has the Government taken any steps in that direction?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): I am not sure.

MR. L. J. T. POLGREEN (*Planters*): Does the member know whether Tahsildars had instruction regarding that?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): I presume they had. I was not in charge then, and I am not, therefore, fully in possession of those facts. Anyhow, I shall enquire and let him know.

In any case our Government have done a great deal towards trying to help the people in the present economic difficulties.

MR. O. M. THOMAS (*Kottayam*): Are all these concessions still in force?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): Some of them are, and for some others a certain time was fixed and that has elapsed.

The following concessions were granted to the tenants of kandukrishi pattom wet lands under the Trivandrum and Ambalapuzha kandukrishis. In Trivandrum, an extension of time for payment of the rent for the Meenam, Medam and Edavam kists of 1106 was granted till the end of the year. Government also reduced the commutation rate, at which rent should be paid, from 24 chukrams per parah to 20 chuckrams per parah of paddy. In Ambalapuzha Government sanctioned the extension of time till the end of 1106 for the payment of rent for the Meenam, Medam and Edavam kists of 1106. They also reduced the commutation rate to 18 chuckrams per parah. They sanctioned the payment in kind and further extension of time till the end of Chingam 1107 for the payment of rent for the Edavam kist. They also gave a further extension of time till the end of Thulam 1107 for payment of the dues in kind in the same kandukrishi.

I am sure that the House will realise that revenue must come in if Government is to function. I notice that several interpellations have been put before the Council as to when this or that work is going to be done. The only question is that of finance. As soon as Government get in sufficient money to carry out the various works that are wanted they

will be done. I think that the chief idea before the House is that the sale of land for arrears of kists should be the very last thing resorted to.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Not only that, but the sales of land should be stopped till the end of the year, and orders must be issued regarding that.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): But if Government is to function, of course, revenue must be forthcoming.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether there was not a G. O. to the effect that no coercive steps should be taken until further orders?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): Yes; but it was only for a stated period and that has now elapsed.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): No, time was fixed in that G. O. The G. O. only stated that no coercive steps should be taken until further orders.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): May I know which?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): But later on another G. O. was issued withdrawing the concession given by the first G. O. I wish to know whether the economic condition of the people had improved when the second G. O. was issued to justify the withdrawal of the concession granted by the first G. O.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): I was not here during that time, and so I cannot say what the economic condition of the people was. I presume that the Government thought that the economic condition of the people was not so bad and that it was necessary to get in some revenue for Government to function; and therefore Government withdrew the concession granted by the first G. O. I have no definite information before me as to what led them to withdraw the concession.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether the Government enquired into the economic condition of the tax-payer and were satisfied that it had improved so as to enable him to pay the tax?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Well, the member is asking me questions which I am not in a position to answer. I presume that the Government took every precaution and subsequently withdrew the first G. O.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know how I can get an answer for my question?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): Probably by an interpellation in the Council.

MR. A. S DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I hope the member is now speaking on behalf of Government.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): As far as this motion is concerned, and as far as I am in possession of facts.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikpalli*) That question does not arise.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): I am not in a position to give all sorts of information in the world.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): This question arises only in the course of the discussion, and the House is entitled to know the reasons for withdrawing the concessions that were granted.

PRESIDENT: Strictly speaking, that is not the question before the House. The question before the House is whether sale of lands for realisation of land revenue should be stopped until the end of the year 1107.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): But Sir, that has arisen from the answer given by the member.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Well, Sir, we must admit that revenue must come in, if any Government is to function. As regards the mode of collecting arrears of land revenue sales of lands are conducted not solely on account of arrears of land revenue. We have to proceed under the Revenue Recovery Regulation for the recovery of revenue, under the Forest Regulation, the Agricultural Improvements' Regulation, under the Land Conservancy Regulation, the Hindu Religious Endowment Regulation—in fact under about seventeen or eighteen different Regulations we have got to function for the recovery of dues. As regards the attachment of moveables, the revenue subordinates are asked to proceed against the defaulters. There is much difficulty there. First of all, I think it causes heart-burning if the low-paid subordinates were to go to the houses of respectable gentlemen to take moveables such as cooking vessels. As far as I can see, in the case of the high-class society, non-payment of tax is due to two facts; one is that the land-owner does not admit that he is liable for the tax or that he has already paid the tax and therefore the demand is wrong. The other cause is probably due to the fact that he is an absentee land-owner and there is carelessness on the part of the manager or other person who is looking after his property in paying the tax in time. Those are, I think, the general reasons for the arrears of land revenue amongst the upper classes. Well, Sir, for a low-paid subordinate to enter the house of respectable gentlemen, with all their ladies present, to take their things for arrears of revenue must cause a great deal of annoyance.

Then, as regards the poorer classes, we know from actual experience that when the Proverthicar or other revenue subordinate goes into his house to attach some moveables, he says "That is not mine, but somebody else's; so don't touch that." When he takes up another thing

the owner says that it is not his, but his wife's or that it belongs to another man. Thus we find that there is nothing left in the house to attach.

The next question is about the working of Section 25 of the Revenue Recovery Regulation which is a very cumbersome procedure. First of all the Section says that a receiver may be appointed and that the defaulter has to pay the receiver, and so on.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member aware of any instance where this Section has been made use of?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I am not aware of any instance of that having been worked, for the simple reason that a perusal of the Section will show how cumbersome and unwieldy it is.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Karthikapalli*): May I know..............

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I will explain the whole matter if I am permitted to do so.

"It shall be lawful for the Division Peishkar with the previous sanction of the Land Revenue Commissioner at any time during the attachment to assume the management of the immoveable property attached. In such cases he shall appoint an agent with a proper establishment of officers to manage the property and shall give the agent a certificate of appointment with written instructions under his seal and signature...."

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): I think the Section proceeds further. This is in regard to big estates.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It will take a long time to read the whole Section. If, in the first portion, we put in a receiver with all his establishment, it will cost the defaulter a considerable sum. He has got to pay the receiver and the establishment. Then, there is the trouble for the receiver to attach the property. The second point is that supposing the property is big, according to the Revenue Recovery Regulation only so much of the property as is necessary to cover the dues could be attached. If we appoint a receiver, has to be in charge of only a certain part of the property. There is another difficulty; we will not get the revenue for a long time after all these points have been gone through.

In the case of small property, the Section makes provision for appointing revenue officers. I presume that in such cases Proverthicars have got to function. It is a fact that the Proverthicars have got more work to do than they can manage. There may be 2,000 or 3,000 cases of attachment while there are only 200 or 300 Proverthicars to act as receivers. What might be done and what I think safe to do is to issue strict departmental orders that in future Tahsildars should see that attachment of moveables is first resorted to and that they should not resort to attachment of property until after doing everything under the former proviso. I think a departmental order like that will meet the requirements of the case.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Will this also apply to the inhabitants of the Kallupara and other pakuthies in the Edavagai ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I do not think I can promise that. It depends more on the procedure that is carried on there. We do not function fully there. The Proverthicars in the Edavagai function under the orders of the Chief.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) Cannot the Government machinery be so modelled as to benefit the tax-payer there also ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I cannot make an off-hand promise now ; but I will look into the matter. I think if I pass a departmental order that in future Tahsildars should first proceed against the moveable property, and not take steps against immovable property without a certificate and report of what had been done, it will save all these hardships which the members complain of. As a matter of fact, I do not think there have been many cases where property has been sold for the realisation of dues. I know that six or eight months ago some property was about to be attached; but the jenmies paid up the amount in time. The sale was therefore set aside.

As regards the attachment of standing crops, another difficulty arises because we might have to attach the land at a time when no crops stand in it for dues due to another department under one or other of the Regulations, Canals and Ferries Regulation, the Sea Customs Regulation, etc. Under all these Regulations we have to function. Moreover it may not be possible to find crops standing in the land at the time of attachment. Apart from this, I can assure the House that it would be very much harder if we attach standing crops and entrust them to receivers. It would cause hardship to the owner and would give room for corruption. The best thing would be to attach moveables first, and if found insufficient, after producing a certificate to that effect, to proceed with the attachment of immoveables. Under these circumstances, I think the member will withdraw his motion.

MR. P. S. MAHOMED (*Nominated*) : ലാൻറവന്യൂ പിരിക്കുന്നതിനെ സംബന്ധിച്ച് ആ ഡിപ്പാർട്ടുമെൻറിൽനിന്നും തുടൎന്നുകൊണ്ടിരിക്കുന്ന നയം ആക്ഷേപാർഹമാണെന്നു ഈ സാമ്പത്തികാധഃപതനം ഉണ്ടാകുന്നതിനു വളരെമുമ്പുതന്നെ പറഞ്ഞുകൊണ്ടിരിക്കുന്ന ഒരു സംഗതിയാണ്. മിസ്റ്റർ കൃഷ്ണപിള്ള ചൂണ്ടിക്കാണിച്ചപ്രകാരം ഡിമാൻറ നോട്ടീസുഫീസ് ഈടാക്കുന്ന നയം കൃഷിക്കാരേയും ഭൂസ്വത്തുടമസ്ഥന്മാരേയും ക്രൂരതൽ ഭിന്നിപ്പിക്കുന്ന ഒന്നാണെന്ന് പറയാതെ നിവൃത്തിയില്ല. കരം കൊടുക്കുന്നതിന് സാധിക്കാതെയുള്ള ആളുകളിൽനിന്നും മറെറാരു സംഖ്യകൂടി ഈടാക്കുക എന്നുള്ള നയമാണ് ഇന്നും തുടൎന്നുകൊണ്ടിരിക്കുന്ന

തു്. ഇങ്ങിനെ ഈടാക്കുന്നതുകൊണ്ടു് ഉദ്ദേശിച്ചിരിക്കുന്ന പ്രയോജനം ഈ ഭൂസ്വത്തുടമസ്ഥന്മാൎക്കു ലഭിക്കുന്നില്ല. അതുകൊണ്ടുള്ള ഉദ്ദേശം കരം കൊടുക്കാത്ത ആളുകളെ അവൎക്കു കരം കൊടുക്കേണ്ട സമയം കഴിഞ്ഞിരിക്കുന്നു എന്നും ഉടനടി കൊടുക്കണമെന്നും അല്ലാത്തപക്ഷം അവരുടെമേൽ നടപടി നടത്തുന്നതാണെന്നും അറിയിക്കുന്നതിനാണു്. ഇങ്ങിനെയുള്ള അറിയിപ്പു് മിക്ക ജനങ്ങൾക്കും അറിയാൻ സാധിക്കുന്നില്ല എന്നുള്ളതു് ഇവിടെ പ്രസ്താവിക്കാതെ നിവൃത്തിയില്ല. നോട്ടീസുകൾ എല്ലാം എഴുതി പകുതി പ്യൂൺസിന്റേയോ പ്രവൃത്തിക്കാരുടേയോ കയ്യിൽ സൂക്ഷിച്ചുവച്ചിരിക്കുകയാണു് സാധാരണ ചെയ്തുവരുന്നതു്. സ്നേഹമുള്ളവരോടും ബഹുമാനമുള്ളവരോടും മാത്രം നോട്ടീസിന്റെ സംഗതി പറയും. മറ്റുള്ളവൎക്കു അതറിയാൻ നിവൃത്തിയില്ലാതിരിക്കുന്നു. ഡിമാന്റു നോട്ടീസ് എന്നുള്ളതു് മറ്റു വിധത്തിലുള്ള ഒരു റവന്യുപിരിവു് എന്നല്ലാതെ അതുകൊണ്ടു ഉദ്ദേശിച്ചിട്ടുള്ള പ്രയോജനം ഉണ്ടാകുന്നില്ല. അതുകൊണ്ടു് നോട്ടീസ്ഫീസ് കൂടാതെ ഈ ഡിമാന്റു നോട്ടീസ് നടത്തണം.

൭ാം ൭ാം ചാൎജ്ജിനെപ്പറ്റിയാണു് അടുത്തതായി പറയുവാനുള്ളതു്. ഇതും കാൎയ്യമില്ലാതെ ജനങ്ങളിൽനിന്നും വീണ്ടും ഒരു വികൃതിക്കൂട്ടി ഈടാക്കുന്നു എന്നുള്ളതല്ലാതെ അതുകൊണ്ടുദ്ദേശിച്ചിരിക്കുന്ന പ്രയോജനം ഉണ്ടാകുന്നില്ല എന്നുള്ളതു് പരസ്യമായ ഒരു പരമാൎത്ഥമാണു്. ഇങ്ങനെയുള്ള ഒരു വരവിനു ജനങ്ങൾ കഷ്ടപ്പെട്ടുകൊണ്ടിരിക്കുന്ന ഈ അവസരത്തിൽ വച്ചുകൊണ്ടിരിക്കുന്നതു് നല്ലതല്ല. അതുകൊണ്ടു് പ്രയോജനം ഉണ്ടാകുമെന്നു് ആരും കരുതുന്നുമില്ല. ഇങ്ങനെയുള്ള സംഗതികൾ നിസ്സാരങ്ങളാണെന്നു് പ്രഥമദൃഷ്ടിയിൽ തോന്നാമെങ്കിലും ഇതു് യഥാൎത്ഥത്തിൽ ക്രമത്തിലധികം ജനങ്ങളെ മൎദ്ദിച്ചുകൊണ്ടിരിക്കുന്ന ഒരു പ്രവൃത്തിയാണെന്നു് മനസ്സിലാക്കി ജനങ്ങൾക്കു കൂടുതൽ സഹായം ചെയ്തുകൊടുക്കേണ്ടതു് അത്യാവശ്യമാണു്.

കരം പിരിക്കുന്നതിനായിട്ടു് ഗവൺമെന്റിൽനിന്നു ഇന്നു് നടത്തിവരാറുള്ള നടപടികൾ മുഴുവൻ തുടൎന്നുകൊണ്ടിരിക്കണമോ അതല്ല അവയെ ഉടനടി നിറുത്തി ഇപ്പോഴുള്ള ജനങ്ങളിൽനിന്നും അവരുടെ സൌകൎയ്യം അനുസരിച്ചു് അവർ തരുന്നതിനെ സ്വീകരിച്ചു് ഈ സാമ്പത്തികാധഃപതനം തീരുന്നതുവരെ ആ സ്ഥിതിയിൽ ഇരിക്കണമോ എന്നുള്ള സംഗതിയാണു് ആലോചിക്കേണ്ടതു്. ഇതിനെ സംബന്ധിച്ചു് പലൎക്കും അഭിപ്രായവ്യത്യാസമുണ്ടു്. എന്നാൽ ജനങ്ങൾ അനുഭവിക്കുന്ന കഷ്ടതയ്ക്കു് എന്തെങ്കിലും പരിഹാരം ഉണ്ടാക്കിക്കൊടുക്കേണ്ടതു്

[Mr P. S. Mahomed.]

അത്യാവശ്യമാണ്. അതിലേക്ക ഗവൺമെൻറ ഏതു രീതിയിൽ മുന്നോട്ടുപോയാലും തരക്കേടില്ല.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): കഷ്ടത കഴിഞ്ഞ വൎഷത്തേക്കാൾ ഇപ്പോൾ കൂടുതലാണോ കുറവാണോ?

MR. P. S. MAHOMED (*Nominated*): കഴിഞ്ഞതിനേക്കാൾ കൂടുതൽ കഷ്ടത എന്നു പറയാൻ തരമില്ല. കുറവാണ് എന്നു പറയാൻ തക്കവിധത്തിൽ സംഗതികൾ അത്രത്തോളം എനിക്ക ഗ്രഹിക്കുവാൻ കഴിഞ്ഞിട്ടുമില്ല.

ഏതായാലുംജനങ്ങൾക്ക കുറെ സമാധാനം ഉണ്ടാകത്തക്കവിധത്തിൽ എന്തെങ്കിലും പ്രവൎത്തിക്കേണ്ട കടമ ഗവൺമെൻറിനുണ്ടെന്നുള്ള സംഗതി ഇവിടെ പ്രസ്താവിക്കാതെ നിവൃത്തിയില്ല. സ്ഥാവരവസ്തുക്കൾ ലേലംചെയ്യുന്നതിൽനിന്നും ഗവൺമെൻറ് കുറേ കാലത്തേക്ക മാറിനില്ക്കണം. അതിനുപകരം ജംഗമസ്വത്തുക്കളെ വില്ക്കത്തക്കവണ്ണം ഏൎപ്പാടു ചെയ്തു് അതിൽനിന്നും ആദായം എടുക്കണം എന്നുള്ള സംഗതിയെപ്പററിയാണ് പലരും ഇവിടെ അഭിപ്രായം പറഞ്ഞിട്ടുള്ളതു. ജംഗമസ്വത്തുക്കളെ വിററു് കരം ഈടാക്കണമെന്നുള്ള സമ്പ്രദായത്തെ കൂടുതൽ പ്രയോഗത്തിൽ വരുത്തി സ്ഥാവരവസ്തു ഈടുണ്ടു് അവസാനം വരെ വില്ക്കാൻ പാടില്ല എന്നുള്ള അഭിപ്രായത്തോടുകൂടി എനിക്ക യോജിക്കാൻ നിവൃത്തിയില്ല.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ജനങ്ങളുടെ വലിയ കഷ്ടതകൾക്ക പരിഹാരമാൎഗ്ഗം ഉണ്ടാകുന്നതുവരെ ഈ രണ്ടു് ഏൎപ്പാടുകളും നിറുത്തിവയ്ക്കുന്നതുകൊണ്ടുതരക്കേടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): കരം ഈടാക്കുന്നതിനു് ഗവൺമെൻറിൽനിന്നും ഒന്നും ചെയ്തില്ലെങ്കിലും അതു് എനിക്ക സമ്മതമാണു്.

എന്നാൽ സ്ഥാവരവസ്തുക്കളെമാത്രം സംരക്ഷിച്ചിട്ടു് ജംഗമസാധനങ്ങളെ വിററു് ജനങ്ങളെ കഷ്ടപ്പെടുത്തണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി എനിക്കുയോജിക്കാൻ നിവൃത്തിയില്ല. സാധുക്കൾക്കാണു് അതുകൊണ്ടു് കൂടുതൽ ഉപദ്രവം ഉണ്ടാകുന്നതു്. വസ്തു വില്ക്കുന്നതു ഉടമസ്ഥൻ അറിയാത്തവിധത്തിലാണെങ്കിലും അതിനു കുറെ സമയം കിട്ടിയാൽ തക്ക സമയത്തിനുതന്നെ വല്ല തുകയും കൊടുക്കാൻ സാധിക്കും. എന്നാൽ ജംഗമസാധനങ്ങൾ എടുത്തു കഷ്ടപ്പെടുത്തുക എന്നു പറയുന്നതു് — അവരുടെ ചട്ടി, കലം മുതലായ സാമാനങ്ങളെ എടുത്തു് ലേലംചെയ്ക എന്നുള്ളതു് — അവരുടെ അഭിമാനത്തിനു ഭംഗം വരുത്തുന്ന

ഒരു സംഗതിയാണ്. അതിനാൽ സ്ഥാവരവസ്തുക്കളെ സംരക്ഷിച്ചുകൊണ്ട് ജംഗമങ്ങളെ ജപ്തിചെയ്യുന്നതിനും മററും നടപടികൾ നടത്തിക്കൊള്ളാമെന്നു പറയുന്നതിനോട് ഞാൻ യോജിക്കുന്നില്ല. അത് ജനങ്ങളെ കൂടുതൽ കഷ്ടപ്പെടുത്തുന്ന ഒരു സംഗതിയാണ്. ഗവണ്മെൻറിൽനിന്നും വസ്തു കൈവശപ്പെടുത്തി റിസീവരെ വച്ച് ആദായം എടുക്കുകയും റിസീവർ ആദായത്തിനു കണക്കുവയ്ക്കുകയുംചെയ്തതിനുശേഷം ഉടമസ്ഥൻ വസ്തു തിരിയെ എടുക്കുമ്പോൾ വസ്തുവിൻെറ വിലയേക്കാൾ കൂടുതലായ ഒരു തുക ഉടമസ്ഥൻ കൊടുക്കുന്നതിനു സംഗതിവരികയും ചെയ്യുന്നുണ്ട്. അതുകൊണ്ട് അങ്ങനെയുള്ള നിർദ്ദേശങ്ങൾ കൊടുക്കുന്നതു ശരിയല്ല.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : ഒന്നാംക്ലാസ് മജിസ്ട്രേട്ടന്മാരുടെ ഉത്തരവുകൾ അനുസരിച്ച് സ്ഥാവരവസ്തുക്കളുടെ അന്വേഷണത്തിനു റിസീവർമാരെ വച്ചു നടത്തി വരുന്നില്ലേ?

MR. P. S. MAHOMED (*Nominated*) : അതുകൊണ്ട് ജനങ്ങൾക്ക് കൂടുതൽ നഷ്ടമാണുണ്ടാകുന്നത്. വസ്തുവിൽ നിന്നും കിട്ടുന്ന ആദായം വസ്തു ഉടമസ്ഥനോ ഗവണ്മെൻറിനോ ലഭിക്കുന്നില്ല. മററു മാർഗ്ഗത്തിൽക്കൂടി അതു പോകുന്നു. അങ്ങിനെയുള്ള സമ്പ്രദായം ജനങ്ങളെ കൂടുതൽ മട്ടിക്കുകയാണ് ചെയ്യുന്നത്. അതുകൊണ്ടു ഈ റെസല്യൂഷനിൽ ഉൾപ്പെട്ടതോ അല്ലാത്തതോ ആയി ജനങ്ങൾക്ക് വല്ല്യ സൌകര്യവും കുറെ സമയവും ലഭിക്കത്തക്കനിലയിൽ ഇരിക്കുന്ന സംഗതികളെ നിവൃത്തൽ ചെയ്തിട്ട് ജനങ്ങൾക്കു കൂടുതൽ ഉപദ്രവകരമായ സംഗതികളെ നടപ്പിലാക്കണം എന്നുള്ള നിർദ്ദേശത്തോടുകൂടി ഞാൻ യോജിക്കുന്നില്ല എന്നുള്ള സംഗതി ഇവിടെ പ്രസ്താവിച്ചുകൊള്ളുന്നു.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : I move that the question be now put.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I second it.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : The motion before the House.—

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : There is a closure motion, the member got up after the closure motion.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I stood up before the closure motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It was not seconded when he stood up.

MR. R NILAKANTA PILLAI (*Financial Secretary to Government*):

The motion before the House is for a temporary suspension till the end of the current year, of coercive proceedings *i. e.* auction sale of

[Mr. R. Nilakanta Pillai]

lands for realising arrears of land revenue. The power vested in Government to effect sales of immovable property for the realisation of arrears of land revenue has the effect of inducing the land-holders to pay up the revenue in time to avoid their lands being sold off. If this power is withdrawn although temporarily, there will be nothing to force the timely payment of revenue; and the Government may not, it is feared, be able to realise a major portion of the Ayacut Land Revenue the budgeted estimate of which is Rs. 38,80,000 for the current year. Out of the Land Revenue collections, the Government have to pay the contribution of Rs. 16,00,000 to the Devaswom Department. The present financial position of the Government cannot be said to be satisfactory. The year 1106 ended with a Revenue deficit of Rs. 12,00,000. A sum of Rs. 14,00 000 had also to be provided under 'Capital' for financing schemes. The net defict at the end of the year amounted to Rs. 24,00,000. The current year anticipates a small surplus Rs. 50,000 From the actual experience so far, however, it is feared that there will not only be no revenue surplus, but there might, on the other hand, be a deficit ranging between Rs. 14 and Rs. 15 lakhs.

MR. O. M. THOMAS (*Kottayam*): To curtail this deficit, are the Government taking any measures?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Government have appointed a Retrenchment Committee to review the whole expenditure and find ways and means to cover up the deficit to: and the Committee is now working.

MR. O. M. THOMAS (*Kottayam*): Its labours will be completed in 1108?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Much earlier than that; I believe the Committee will be in a position to finish its work within two months. It has already examined the expenditure relating to three or four big departments, and it is still at the work.

MR. O. M. THOMAS (*Kottayam*): Has the Economic Depression Enquiry Committee concluded its labours and submitted its report?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes.

MR. O. M. THOMAS (*Kottayam*): When can we expect the publication of that Report?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The report is being dealt with in the General Secretariat. I understand the Report has been sent to the Press.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Has the Retrenchment Committee submitted an *interim* report as regards the departments which they have already examined?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): They have already submitted *interim* reports in respect of the Forest and Registration Departments.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): And, are the Government taking action in regard to these two Departments, or are they going to wait till the completion of the Report?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): It is for taking earlier action that *interim* reports are being sent.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*): Will this Council be given an opportunity for discussing the Report of the Retrenchment Committee?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): After the Committee has submitted the report to Government, the member may ask the question. I am not in a position to give a direct answer at present. I may state that the members of the Finance Committee are members of the Retrenchment Committee.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*): All the members?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*); The Dewan is the President of the Finance Committee. With the exception of the Dewan, the rest of the members of the Finance Committee are members of the Retrenchment Committee.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*): They were elected to serve not on the Retrenchment Committee but on the Finance Committee?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Anyhow, the Non-official members of the Finance Committee are serving on the Retrenchment Committee.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*); Is the opinion of the members of the Finance Committee final, so far as this Council is concerned?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Their opinion is not final.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*): What is the statutory position of the Finance Committee?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The Finance Committee has no statutory position.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*): Then where is the meaning in saying, that the members of the Finance Committee are members of the Retrenchment Committee, and that their opinions in regard to the retrenchment proposals would be binding on the Council?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I did not say like that.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*): You stated that as a justification for the Government having taken action on the Report of the Retrenchment Committee. That implies that it is binding on this Council?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): റിട്രെഞ്ച്മെൻറ് കമ്മററിമെമ്പേഴ്സിന് പ്രത്യേകം വല്ല അലവൻസും ഉണ്ടോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അവക്ക് ലെജിസ്ലേററീവ് കൌൺസിൽ മെമ്പറന്മാരുടെ പടികൊടുക്കുന്നുണ്ട്.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*). ഉദ്യോഗസ്ഥമെംബറന്മാക്ക് വല്ല പടിയും കിട്ടുന്നുണ്ടോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഉദ്യോഗസ്ഥന്മാക്ക് പടി ഇല്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If the *interim* report of the Retrenchment Committee is to be considered, and steps to be taken by Government on this *interim* report, what is the good of placing the Report before the Council, after steps are taken by the Government?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Any delay in the disposal of any retrenchment measure means additional cost to Government. If we can prevent additional expenditure by taking timely action so much the better. There is nothing to prevent the Legislative Council from expressing opinions on any of the points touched by the Retrenchment Committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): But would it be of any use for the Legislative Council to express an opinion on the Report of the Retrenchment Committee after action has been taken?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Government can change the decision already arrived at.

MR. A. S DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If the Council thinks that some of the reductions that have been effected have already caused irrepairable damage, what is the remedy?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): In that case they can bring in a resolution to that effect.

MR A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): All this is to be done *after* the mischief is done?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*); Further mischief could not be prevented.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): They may impose fees for primary education?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) Quite likely.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): സ്റ്റേഷണറി, കണ്ടിജൻസി, എന്നീ ഇനങ്ങളിലുള്ള ചിലവു കുറച്ചുകൂടെ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): സ്റ്റേഷണറി ഇനത്തിലുള്ള ചിലവ് വളരെ കുറച്ചിരിക്കുകയാണ്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇപ്പോഴും അതു് കൂടുതൽ ചിലവാകുന്നില്ലേ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ചിലവ് കൂടുതലാണെന്ന് എനിക്ക് തോന്നുന്നില്ല.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): [illegible]-ലേക്ക് ഒരു സർപ്ലസ് ബഡ്ജററ് ഹാജരാക്കിയിരിക്കുന്ന സ്ഥിതിക്ക് എന്താണ് ഈ റിട്രെഞ്ച്മെൻറ് കമ്മററിയുടെ ആവശ്യം?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): റിട്രെഞ്ച്കമ്മററി ഇപ്പോഴും എല്ലാരാജ്യത്തും ഉണ്ട്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ബഡ്ജററ് അബദ്ധമാണോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): രജിസ്ട്രേഷൻ ഫീസിനത്തിൽ എത്ര തുക വരുമെന്നും സിവിൽ കോടതികളിൽ എത്ര നമ്പരുകൾ പതിയുമെന്നും, രാജ്യത്തുനിന്നും എത്ര ചരക്കുകൾ കയററി അയക്കുമെന്നും, തീരുവയിനത്തിൽ എത്ര തുക ഈടായി വരുമെന്നും, സൂക്ഷ്മമായി മുൻകൂട്ടി നിശ്ചയിക്കാൻ പാടില്ലാ. ബഡ്ജററ് ഒരു എസ്റ്റിമെററ് മാത്രമേയുള്ളു.

MR. O. M. THOMAS (*Kottayam*): Has the subject of reduction of salaries of Government officers been considered by the Retrenchment Committee?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): They are going to consider the question soon.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): എക്സൈസ്, ഫോറസ്റ്റ്, ലാൻറ്റവന്യൂ ഈ ഡിപ്പാർട്ടുമെൻറുകളുടെ വരുമാനത്തിൽ നിന്നും നാലിലൊന്ന് കുറയുകയാണെങ്കിൽ ഇന്നത്തെപ്പോലെ ഗവർമ്മെൻറ് ജീവനക്കാരെ വച്ചുനടത്തിക്കൊണ്ടു പോകുന്നതെങ്ങനെയെന്ന് ഗവർമ്മെൻറു വിചാരിക്കുന്നുണ്ടോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): എക്സൈസ്ഡിപ്പാർട്ടുമെൻറിൽ നിന്നും ചില ഇൻസ്പെക്ടന്മാരെയും സബ്ഇൻസ്പെക്ടന്മാരെയും കുറയ്ക്കണമെന്നുദ്ദേശിക്കുന്നുണ്ട്. ഒന്നുരണ്ടു ഡിവിഷനും കുറയ്ക്കുന്നതിന് ആലോചിക്കുന്നുണ്ട്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഹജൂർ സിക്രട്ടറിമാരിൽ വല്ലവരേയും കുറയ്ക്കാൻ ആലോചിക്കുന്നുണ്ടോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഹജൂരിനെപ്പററി കമ്മററിക്കാർ ആലോചിക്കാൻ പോകുന്നതേയുള്ളു. ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഹജൂരിൽ ഏതെങ്കിലും ഉദ്യോഗസ്ഥനെ കൂടുതലായി നിയമിച്ചിട്ടുണ്ടോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഒരാളെ കൂടുതലായി നിയമിച്ചിട്ടുണ്ട്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): റിട്രിഞ്ച്മെൻറ് കമ്മററിയുടെ അഭിപ്രായം അനുസരിച്ചാണോ ആളിനെ നിയമനം നടത്തിയിട്ടുള്ളത്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അങ്ങനെ അല്ല.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): പിന്നെ എക്കണോമിക്ക് ഡിപ്രഷൻ കമ്മററിയുടെ ശുപാർശ അനുസരിച്ചാണോ ഇങ്ങിനെ നിയമിച്ചിട്ടുള്ളത്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അല്ല. ഒരു പ്രത്യേക ആവശ്യം അനുസരിച്ച് തൽക്കാലം മൂന്നുമാസത്തേക്കാണ് ആ നിയമനം നടത്തിയിട്ടുള്ളത്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is the Financial Secretary aware that the production of pepper and cocoanuts in the land has gone down considerably?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): There is a fall in the production of pepper. The fall in production appears to have the advantage in that the price of the surplus stock of pepper will rise up automatically on account of the limited supply in the current year.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I am speaking of the fall in the yield of the trees.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): There is some reduction in the yield.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Both in pepper and in cocoanut?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes. In the case of cocoanuts also there is some reduction in the yield.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Only some?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes.

PRESIDENT: The time has expired. The motion lapses.

The House will now rise and meet again to-morrow at 11-30 A. M.

The Council adjourned at 5-30 P. M.

P. VISWANATHA AIYAR,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

Friday, the 18th December, 1931/3rd Dhanu, 1107.

The Council met at eleven thirty of the Clock in the Victoria Jubilee Town Hall, the President presiding.

The following members were absent:—

Mr. K. Narayanaperumal Nadar.
,, K. Padmanabha Panikkar.
Mrs. Anna Chandi.

QUESTIONS AND ANSWERS.

Purchase of pipe-carts by the Public Works Department.

49. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*) : Will the Government be pleased to state :

(*a*) whether two pipe-carts have been got down by the Public Works Department for lowering pipes in trenches ;

(*b*) if the answer to part (*a*) is in the affirmative, the cost of the two pipe-carts ;

(*c*) the date on which they were got down ; and

(*d*) whether they were in use at any time after getting them down ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : (*a*) Yes, for the movement of pipes.

(*b*) Rs. 6,026-27 chs. 10 cash.

(*c*) They arrived at Trivandrum on the 10th December, 1929.

(*d*) Yes.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) . With regard to part (*d*) of the answer, may I know on how many occasions these pipe-carts were used ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : The exact number of occasions is not known; but the carts were constantly in use during the last six months.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) : Is the member in a position to say whether both the pipe-carts were in use ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : I claim notice.

G. P. T. 1758. 300. 1-9-07

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Is it a fact that one of the pipe-carts still remains in the store room without any use whatever?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I have not got any definite information regarding that. But if the member wants, Government will make an enquiry.

Waiting list in the Huzur.

50. MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether they keep a list of persons who have acted in the Huzur; and

(*b*) if the answer to part (*a*) is in the affirmative, whether appointments are made according to that list?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The answer is in the affirmative.

(*b*) Yes.

Resolutions passed at a public meeting held at Kottayam on the 5th Vrischikam 1107.

51. MR. O. M. THOMAS (*Kottayam*): Will the Government be pleased to state:

(*a*) whether they have received copy of the resolutions passed at the public meeting held at Kottayam on the 5th Vrischikam 1107; and

(*b*) if so, the action taken on them?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) The remarks of the Commissioner of Police have been invited on the resolutions.

MR. O. M. THOMAS (*Kottayam*) May I know the date on which copy of the resolutions was received by Government?

MR. K. GEORGE (*Chief Secretary to Government*): 25th July 1931.

MR. O. M. THOMAS (*Kottayam*): May I know the date on which it was forwarded to the Commissioner of Police for remarks?

MR. K. GEORGE (*Chief Secretary to Government*): I find that it was forwarded to the Commissioner of Police on 4th December, 1931. The resolution itself is not here; it has been sent to the Commissioner of Police.

MR. O. M. THOMAS (*Kottayam*): The resolutions were passed on the 5th Vrischikam. A copy of these could not have been received on the 25th July.

MR. K. GEORGE (*Chief Secretary to Government*): There ought to have been some mistake in the entry. The date of receipt should be 29-11-1931.

MR. O. M. THOMAS (*Kottayam*): Was the copy of the resolutions forwarded to the Commissioner of Police after the receipt of my question or prior to it?

MR. K. GEORGE (*Chief Secretary to Government*) : It was forwarded to the Commissioner of Police on 4-12-1931. I have no information as to whether the copy was received subsequent to the receipt of the question or prior to it. Anyhow, the interval between the receipt of the resolution and the forwarding of it to the Commissioner of Police was only three or four days.

Capsizing of a ferry boat at the Kumbazha crossing.

52. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*) : Will the Government be pleased to state :

(*a*) whether they have made any enquiry regarding the capsizing of a ferry boat at the Kumbazha *kadavu* in the Pattanamtitta taluk during the recent floods ; and

(*b*) whether the accident was not due to the neglect of the local P. W. D. Officers ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : (*a*) The matter is under enquiry.

(*b*) It is premature to lay the blame on any one before enquiry is completed.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) : With regard to part (*a*) of the answer, may I know who conducts the enquiry ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : The Police.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) When did the enquiry begin ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : The accident took place on 4-1-1107. The enquiry must have begun shortly after. The exact date is not available.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) : Will this House be informed of the results of the enquiry when it is completed ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) ; The member may, if necessary, make it the subject of an interpellation next time.

Introduction of Sanitary Engineering in the State.

53. **MR. K. P. MADHAVAN PILLAI** (*Chirayinkil*) : Will the Government be pleased to state whether any steps have been taken to introduce Sanitary Engineering in the State ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : The Government had originally asked for the loan of the services of a Sanitary Engineer also from the Rockefeller Foundation with a view to the organisation of this branch of work. The Foundation had agreed to this ; but, in view of the present financial depression, the Government are not in a position to avail themselves of the services of a Sanitary Engineer for the present.

Expenditure for Huzur Medical Stores during 1101 to 1106.

54. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*) : Will the Government be pleased to lay on the table a statement of the amount spent for the Huzur Medical Stores year by year from 1101 to 1106 ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): It is not practicable to prepare such a statement owing to the enormous amount of labour involved.

Construction of the Neriamangalam bridge.

55. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether tenders for 'Designs and Estimates' for the Neriamangalam bridge have been invited from firms;

(*b*) whether the Engineers in the Travancore Public Works Department are not competent to prepare the designs for the Neriamangalam bridge;

(*c*) whether the Government propose to engage contractors from outside Travancore for the construction of the Neriamangalam bridge; and

(*d*) whether the Government have received tenders for estimates from Travancoreans for the construction of the said bridge?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) and (*b*) The answers are in the affirmative.

(*c*) The Chief Engineer's recommendation on the tenders has not yet been received by the Government.

(*d*) The Chief Engineer has received tenders.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): With regard to the answers to parts (*a*) and (*b*), may I know who is to decide which is the best design for the bridge?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Government are the final authority.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): When designs and estimates are together submitted to the Government, have the Government the option to reject either of these and accept the other?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*); That is a hypothetical question.

PRESIDENT: No tender at any time need be accepted. Tenders may or may not be accepted wholly or partly. Government may not accept any tender at all. We may choose to take up the design and call for another estimate.

Mr. M. Srinivasa Aiyar, Supervisor, P. W. D.

56. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state how long Mr. Srinivasa Aiyar, P. W. D. Supervisor, Punalur, has been in that place?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Mr. M. Srinivasa Aiyar, P. W. D. Supervisor, has been working in the Punalur Section as Section Officer from the 21st Vrischikam, 1104.

Constitution of the Ayurveda Board.

57. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) whether the Ayurveda Board provided for in the Budget for 1107 has been constituted; and

(*b*) if the answer to part (*a*) is in the negative, why it has not been constituted?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) No.

(*b*) The Government have decided that the question must wait for the present.

MR. A. THANU PILLAI (*Trivandrum*): With reference to part (*b*), may I know when the Government decided that the question must wait?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I have not got the exact date here. I claim notice.

MR. A. THANU PILLAI (*Trivandrum*): Was it after or before the Budget was passed?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I cannot say. I think it must have been after, but I cannot say definitely.

MR. A. THANU PILLAI (*Trivandrum*): Is there any special reason why this decision was arrived at?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I am not prepared to discuss the reason here with the member.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know why Government decided that the matter should wait for the present. It was brought to the notice of the Council and in spite of non-official opposition, provision was made in the Budget. But it has been allowed to be there. I remember the Chief Secretary told me at the time the Budget was discussed that orders would issue shortly?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I am not in a position to discuss the reason.

MR. A. THANU PILLAI (*Trivandrum*): I do not want a discussion here. Government decided that there should be a board and the Chief Secretary told us that an order would issue shortly. So, I wish to know what it was that influenced Government in putting off this matter?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Government might have had sufficient reason to change their mind.

MR. A. THANU PILLAI (*Trivandrum*): That is what I wish to know. It is for me as well to see how far the reasons are sufficient and whether Government had no reason or any reason whatever?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I have nothing more to say on that point.

MR. A. THANU PILLAI (*Trivandrum*): Then, I too have nothing more to say.

Existence of a clique of agitators in the State.

58. **MR. A. THANU PILLAI** (*Trivandrum*): With reference to the statement made by Mr. L. A. Bishop in the Legislative Council on the 2nd Dhanu 1106, namely "There is a small clique in the State, composed of not more than a dozen persons, who are agitators to a certain extent. They are disgruntled: they seek power: and they seek power by means of agitation", published at page 193 of Vol. XVIII of the *Council Proceedings*, will the Government be pleased to state;

[Mr. A. Thanu Pillai.]

(a) in what part of the State, town or *pakuthi*, this clique has its headquarters;

(b) the names and addresses of the persons forming this clique;

(c) the kind of agitation carried on by them;

(d) the kind of power they seek;

(e) how long this clique has been in existence;

(f) whether it is an unlawful body;

(g) when the activities of this clique were brought to the notice of the Government;

(h) whether such activities are seditious or otherwise illegal; and

(i) whether they or their officers have taken any action against the clique or its members?

MR. K. GEORGE (*Chief Secretary to Government*): (a) to (i) The Government do not propose to furnish the information as it is confidential.

MR. A. THANU PILLAI (*Trivandrum*): "Government do not propose to furnish the information as it is confidential" that is the answer. I wish to know whether information regarding the existence of this clique of agitators is also confidential?

MR. K. GEORGE (*Chief Secretary to Government*): That is not confidential because it was stated in the open Council.

MR. A. THANU PILLAI (*Trivandrum*). Then, am I to understand that all those particulars that I have asked for are confidential and need not be disclosed so that even innocent persons may suffer from the influence of these agitators? The statement is this:

"There is a small clique in the State composed of not more than a dozen persons who are agitators to a certain extent. They are disgruntled: they seek power: and they seek power by means of agitation."

I want to know in what part of the State this clique has its headquarters, the names and addresses of persons forming this clique, the kind of agitation carried on by them, how long this clique has been in existence, whether it is an unlawful body, when the activities of this clique were brought to the notice of the Government, whether such activities are seditious or otherwise illegal and whether the Government or their officers have taken any action against the clique or its members. The answer given to me is that the whole thing is confidential.

I wish to know whether information as to whether this body is an unlawful one is confidential?

MR. K. GEORGE (*Chief Secretary to Government*): The whole matter connected with the question is confidential.

MR. A. THANU PILLAI (*Trivandrum*); Whether the clique is seditious or otherwise illegal is confidential?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, it is, and I have already answered that question.

MR. A. THANU PILLAI (*Trivandrum*) : I wish to know, Sir, why all these particulars are considered confidential. Is it because the information should not be given to this House? It was a very serious allegation made, a matter which everybody should guard himself against. I want the information because I may protect myself from the influence of these disgruntled agitators?

PRESIDENT : Government will take the necessary measures to protect people from their activities. But, in the meantime, it is confidential.

MR. A. THANU PILLAI (*Trivandrum*) . This statement was made several months ago. But have Government taken any action so far or are they merely watching these disgruntled agitators carrying on their agitation? In the face of this danger, have Government taken any action whatsoever? Have they even moved their little finger? That is what I have a right to know and I want to know. Simply to make a statement and then say that everything regarding it is confidential is, I submit,, Sir, unfair.

MR. K. GEORGE (*Chief Secretary to Government*) : Government are watching their activities and will take action when they (the agitators) transgress their limits.

MR. A. THANU PILLAI (*Trivandrum*) : I wish to know how this information came to Government, whether the statement is one for which Government accept responsiblity or whether the statement was made on the responsiblity of Mr. L. A. Bishop?

MR. K. GEORGE (*Chief Secretary to Government*): The Police Commissioner made that statement and Government have accepted it.

MR. A. THANU PILLAI (*Trivandrum*) : Then am I to understand that Government take the responsibility for the statement?

MR. K. GEORGE (*Chief Secretary to Government*) : They do.

MR. A. THANU PILLAI (*Trivandrum*) : Then why not answer yes? May I know what kind of agitation is going on?

PRESIDENT ; It has been said that it is confidential, and I do not allow further questions on that.

MR. A. THANU PILLAI (*Trivandrum*) : Why was this statement made in this House if it was so confidential? Why did the Government tell us that here was a set of disgruntled agitators and all that?

PRESIDENT . When it has once been said that it is confidential and no further questions will be allowed, I believed Mr. Thanu Pillai would stop,

MR. A. THANU PILLAI (*Trivandrum*) : The information sought for is not in regard to the question but why the statement was made in the Council if it was confidential?

PRESIDENT : As it was found necessary at the time the statement was made.

MR. A. THANU PILLAI (*Trivandrum*): In the course of the discussion, the statement was not at all relevant.

PRESIDENT: Then it should have been barred if it was irrelevant at the time when it was made.

Deputy President of the Legislative Council.

59 **MR. JOSEPH KUNJU** (*Changanachery* cum *Peermade*): Wil the Government be pleased to state whether the persons nominated as the Deputy Presidents of the Legislative Council have to take part in any religious functions in their official capacity?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) ; നിയമസഭയിൽ ഡെപ്യൂട്ടിപ്രസിഡൻറായി നിയമിതരാകുന്നവർ മതപരമായ യാതൊരു ചടങ്ങുകളിലും ഭാഗഭാക്കുകളാകേണ്ട എന്നുള്ള സ്ഥിതിക്കു അബ്രാഹ്മണരേയും ആ സ്ഥാനത്തു നിയമിക്കാവുന്നതാണെന്ന് തീരുമാനിക്കുന്നതിൽ യാതൊരു അബദ്ധവുമില്ലെന്നു പറയുന്നതിൽ മെംബർക്കു ദയവുണ്ടാകുമോ?

MR. K. GEORGE (*Chief Secretary to Government*): There is no question of Brahmin or non-Brahmin in the selection of a Deputy President.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) ; ഇതുവരെ അബ്രാഹ്മണരെ ആ സ്ഥാനത്തേയ്ക്കു നിയമിക്കാതിരിക്കുന്നതിനു വല്ല പ്രത്യേക കാരണവുമുണ്ടോ?

MR. K, GEORGE (*Chief Secretary to Government*): Government selected a person suitable for the post.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മററു ജനവിഭാഗങ്ങളിൽ, അവരോടൊപ്പമോ അല്ലെങ്കിൽ അവരെക്കാൾ കൂടുതലോ യോഗ്യന്മാരായ ആളുകൾ ഇല്ലാതിരുന്നുവെന്നാണോ ഗവണ്മെൻറു് വിചാരിക്കുന്നതു്?

PRESIDENT: That is a matter of opinion.

Recruitment of Revenue Officers from the Bar.

60. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether there is any rule prohibiting the recruitment of Revenue Officers from among the practising members of the Bar; and

(*b*) if the answer to part (*a*) is in the negative, the number of such recruitments within the past ten years?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) There is no rule prohibiting the recruitment of Revenue Officers from among the practising members of the Bar, provided they possess the Departmental Examination qualifications besides the general qualification fixed by the Public Service Notification and provided they satisfy the conditions laid down in Article 43 of the *Travancore Service Regulations* regarding age-limit for entertainment in public service.

(*b*) There was only one such recruitment. Mr. K. Gopala Pillai, B. A., B. L., now Head Accountant, Kunnattur taluk, was appointed direct from the Bar in 1098.

Alleged trespass by Mr. M. M. Abraham into the Municipal Office, Kottayam.

61. **Mr. O. M. THOMAS** (*Kottayam*): Will the Government be pleased to state:

(*a*) whether it is a fact that Mr. M. M. Abraham, one of the Revising Authorities of the Kottayam Municipal Council in 1106 M. E., was alleged to have trespassed into the Kottayam Municipal Office;

(*b*) whether the President of the Kottayam Municipal Council wrote to Mr. Abraham demanding his explanation for the alleged trespass;

(*c*) whether Mr. Abraham submitted any explanation;

(*d*) if not, the further action taken by the President in the matter; and

(*e*) the circumstances in which the alleged trespass was said to have been committed by Mr. Abraham?

Mr. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) to (*c*) A report was received by the President on the 18th Medam 1106 that the Councillor entered the office room and asked for the claim and objection papers, that he found the same in a tray and took it to the Council Hall, that a clerk objected as it was a holiday and as no previous notice had been given, and that the matter was reported to the President, who sent the gist of the report to the Councillor. The latter met the President that day and informed him that there was no trespass and the matter was then dropped.

Mr. O. M. THOMAS (*Kottayam*): In the long story of the answer may I know what is the answer to part (*b*) of my question?

Mr. C. O. MADHAVAN (*Ag. Secretary to Government*): For all the parts *i. e.*, from (*a*) to (*e*), we have supplied the answer which we could generally take from a report received from the Municipal President. No separate answer to that part alone can be given.

Mr. O. M. THOMAS (*Kottayam*): Will the member please read the answer given and say whether the President, Municipal Council, wrote or did not write to Mr. Abraham demanding his explanation?

Mr. C. O. MADHAVAN (*Ag. Secretary to Government*): The President says that he forwarded the report of the clerk to Mr. Abraham and Mr. Abraham explained the situation to him.

Mr. O. M. THOMAS (*Kottayam*): In all fairness, I am not here concerned with what the President wrote to the Government on the question. I want a reply to part (*b*) whether the President wrote to Mr. Abraham demanding his explanation?

Mr. C. O. MADHAVAN (*Ag. Secretary to Government*): All that I have got here is the report from the President which says that he got a report from the clerk about Mr. Abraham and that he forwarded the same to Mr. Abraham who explained the situation to him. There the matter ended.

MR. O. M. THOMAS (*Kottayam*): Am I to understand that the President did not write to Mr. Abraham demanding his explanation?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The member may draw his own inference.

PRESIDENT: If he is keen on getting a definite answer, the President can be written to and the information obtained.

MR. O. M. THOMAS (*Kottayam*): The member is entitled to claim notice; but he is evasive.

PRESIDENT: Mr. Thomas, if you are keen on getting a definite answer to part (*b*) of the question, the information can be got from the President and supplied to you.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*). I submit, Sir, the President has probably said all that he could say on the point.

MR. O. M. THOMAS (*Kottayam*): It is a plain question which must be answered in a plain manner.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): If anything more is necessary, I can write to the President and get the information.

MR. O. M. THOMAS (*Kottayam*): May I know whether the member considers the reply given as sufficient?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): If the member is asking for my opinion I must say that when I passed the answer I considered it quite sufficient.

MR. O. M. THOMAS (*Kottayam*); May I know whether the meeting of the Revising Authorities on that particular day was notified at the Municipal Office for the year 1106?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I have no information. I claim notice.

MR. O. M. THOMAS (*Kottayam*): Then, how is it that in the reply it is stated that the clerk had no notice?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): That passage in the reply does not refer to any notice about the meeting of Revising Authorities.

MR. O. M. THOMAS (*Kottayam*): Was the clerk aware of the fact that a meeting of the Revising Authorities was arranged on that day?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I do not find anything about the meeting of Revising Authorities in the report of the President. The reply says that the clerk had no notice. So far as I can understand that means that the clerk had no notice that Mr. Abraham would make such a demand for papers on that day.

MR. O. M. THOMAS (*Kottayam*): As a member of the Revising Authorities, had he the right to enter the Municipal Office?

MR. C. O MADHAVAN (*Ag. Secretary to Government*): Whether he had the right or not may be seen from the Municipal Regulation and the Rules thereunder.

MR. O. M. THOMAS (*Kottayam*) I wish to know whether the President has furnished any information on that point?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): No report on that point was called for from the President and he has not supplied any.

Waiting list in the Land Revenue Department.

62. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether they keep a list of persons who have acted in the Land Revenue Department; and

(*b*) if the answer to part (*a*) is in the affirmative, whether appointments are made according to that list?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) The answer is in the affirmative.

(*b*) Yes.

Sinking of wells in the Akarakettu village, Shencotta.

62. **MR. S. CHATTANATHA KARAYALAR** (*Pattanapuram* cum *Shencotta*): Are the Government aware that there is no public well in the Akarakettu village in the Shencotta taluk for the supply of drinking water to the inhabitants thereof?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The answer is in the negative.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): May I know whether the Government propose to enquire into the matter?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): If the member suggests, Government will make an enquiry into the matter. The Chief Engineer says that no representation has been made either to him or to the Executive Engineer.

Opening of a road from Avanisvaram to Anchal via Tadikad.

63. **MR. S. CHATTANATHA KARAYALAR** (*Pattanapuram* cum *Shencotta*): Will the Government be pleased to state:

(*a*) whether they have considered the question of opening a road from Avanisvaram to Anchal through Tadikad; and

(*b*) the action taken so far (29-11-1931) in the matter?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) An estimate has been received from the Chief Engineer but the work has been ordered to lie over for want of funds.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): With regard to the answer to part (*a*), may I know for how long the question has been under the consideration of Government.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): From 1914.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Am I to understand that the work was ordered to lie over for want of funds all this time?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No. But in the meantime various particulars as to the land benefited by the work, the nature of the work, etc., had to be got down from the P. W. D. That took some time, and the Chief Engineer sent up the final estimate only in 1930.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): When was the first estimate submitted?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The information is not available.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): When was the final estimate submitted?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The final estimate from the Chief Engineer was received on 10-3-1930.

Service of demand notices for arrears of tax.

64. **MR. K. P. MADHAVAN PILLAI** (*Chirayinkil*): Will the Government be pleased to state:

(*a*) whether there is any rule regarding the service of demand notices to joint patta-holders for arrears of tax; and

(*b*) whether they are aware that, in the Chirayinkil taluk, a new rule has been introduced by which each joint patta-holder should separately be served with such demand notice?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) Yes. (*Vide* G. O. Dis. No. 1023/24/Revenue, dated the 12th July 1924, published on page 967 of the Second Supplement to Vol. II of the Land Revenue Manual.)

(*b*) The rule embodied in the G. O. referred to above is a general one and does not apply to the Chirayinkil taluk alone.

Prohibition against the assignment of land containing mineral deposits.

65. **MR. K. MADHAVAN PILLAI** (*Trivandrum cum Neduvangad*): Will the Government be pleased to state whether there are any orders now in force prohibiting the assignment of land containing mineral deposits without previous sanction of the Government or the acquisition of such land by foreigners?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The answer is in the affirmative.

Service of demand notices under the Revenue Recovery Regulation.

66. **MR. S. KRISHNA PILLAI** (*Karunagapalli*): Will the Government be pleased to state whether it is the Taluk staff or the Pakuthi staff that is at present entrusted with the work of effecting service of demand notices issued under the Revenue Recovery Regulation?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The work of effecting service of demand notices under the Revenue Recovery Regulation is entrusted to the Pakuthi staff.

Appointment of a special officer for conducting prosecutions in connection with the Satyagraha at Suchindram.

67. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state :

(*a*) whether they had appointed any special prosecutor for conducting prosecutions in connection with the *Satyagraha* at Suchindram;

(*b*) the terms on which he was so engaged :

(*c*) the reasons why it was found necessary to make such an appointment;

(*d*) the amount so far (8-4-1107) disbursed to him ; and

(*e*) the stage at which these prosecutions stand now (8-4-1107) ?

MR. K. GEORGE (*Chief Secretary to Government*); (*a*) Yes.

(*b*) No terms were settled at the time when directions were given to Mr. S. Chakrapani Aiyar, Assistant Head Sirkar Vakil, to appear and conduct the Suchindram *Satyagraha* cases before the Additional District Magistrate's Court, Padmanabhapuram.

(*c*) The Government considered that the cases were important ones so as to necessitate the deputation of a Sirkar Vakil for conducting the same.

(*d*) No amounts have as yet been disbursed to him.

(*e*) The defence witnesses are being examined.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): With regard to the answer to part (*b*), may I know whether Mr. Chakrapani Aiyar has claimed any travelling allowance?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, he has.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I believe it has been disbursed.

MR. K. GEORGE (*Chief Secretary to Government*): He has claimed a certain amount but I think that the bill has not been paid.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know the amount claimed by him?

MR. K. GEORGE (*Chief Secretary to Government*): That is not known.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Do the Government intend giving him the amount claimed?

MR. K. GEORGE (*Chief Secretary to Government*): Government have sanctioned payment of travelling allowance; but they have not fixed the amount.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Do the Government intend giving him any remuneration over and above the travelling allowance?

MR. K. GEORGE (*Chief Secretary to Government*): That has not been decided. The Head Sirkar Vakil has recommended that a reasonable remuneration should be paid to him,

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): So, am I to understand from the member that the Government would be obliged to give him an amount of remuneration consistent with the Head Sirkar Vakil's recommendation?

MR. K. GEORGE (*Chief Secretary to Government*): They are not obliged to do it. They will consider the equities of the case and then decide.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): With regard to part (c), may I know the nature of the importance involved in the case?

MR. K. GEORGE (*Chief Secretary to Government*): It has been considered important by Government as it affects the long-standing practices obtained in the State.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Has it been the policy of the Government to appoint special prosecutors whenever cases affecting long-standing practices arise?

MR. K. GEORGE (*Chief Secretary to Government*): I can't say it is the policy of Government because such cases are extremely rare.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is the member aware that even murder cases are being handled by Prosecuting Inspectors?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Then, does the member mean to say that the importance of this case is greater than that of murder cases? Are murder cases to be placed only second to cases of this kind?

MR. K. GEORGE (*Chief Secretary to Government*); That is a matter of opinion. Cases affecting an individual are much less important than cases affecting the State or societies.

MR. E. V. KRISHNA PILLAI: (*Kottarakara* cum *Kunnattur*): Is murder a case which affects an individual or the State?

PRESIDENT: That is unnecessarily deviating from the question. It has nothing to do with the point at issue.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, we know that murder cases are generally being handled by Prosecuting Inspectors. I wish to know whether these Inspectors are not sufficient for conducting this case as well?

PRESIDENT: He has already said that it was not sufficient as the case was a very important one.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I merely want to know whether he attaches more importance to this case than to murder cases?

PRESIDENT: That is a matter of opinion.

Deputation of Mr. Chakrapani Aiyar for conducting prosecutions relating to the entry into the Suchindram road.

68 **MR. M. GOVINDAN** (*Nominated*) : Will the Government be pleased to state :

(*a*) whether there is a Prosecuting Inspector of Police for conducting the prosecutions in important criminal cases in the Additional District Magistrate's Court at Padmanabhapuram ;

(*b*) whether Assistant Head Sirkar Vakil Mr. Chakrapani Aiyar has been specially deputed to conduct a case for the prosecution under Section 90 of the *Criminal Procedure Code* against certain persons who attempted to walk along a road in Suchindram ;

(*c*) if so, the reason that weighed with the Government to adopt that special procedure ;

(*d*) whether any allowance is given to the Assistant Head Sirkar Vakil for this special work ; and

(*e*) if so, the amount of the allowance ?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) Yes.

(*b*) Yes.

(*c*) The member is referred to the answer to part (*c*) of question No. 67.

(*d*) No allowance has as yet been given.

(*e*) In view of the answer to part (*d*), this does not arise.

MR. M. GOVINDAN (*Nominated*) : With reference to the answer to part (*b*), may I know whether there is not a Sirkar Vakil's Office in the Nagercoil District ?

MR. K. GEORGE (*Chief Secretary to Government*) : Yes, there is one at Nagercoil.

MR. M. GOVINDAN (*Nominated*) : Is not Padmanabhapuram nearer to Nagercoil than Trivandrum.

MR. K. GEORGE (*Chief Secretary to Government*) : Yes.

MR. M. GOVINDAN (*Nominated*) : Would it not have been less costly if the cases were conducted by a Sirkar Vakil deputed from Nagercoil ?

MR. K. GEORGE (*Chief Secretary to Government*) : Might have been less costly on account of the lesser amount of travelling allowance to be paid to the Vakil. But owing to the importance of the case as well the fact that the Nagercoil Sirkar Vakil is constantly engaged in the Sessions Court, it was considered desirable to depute the Assistant Head Sirkar Vakil for the purpose.

MR. M. GOVINDAN (*Nominated*) ; Is not the Sirkar Vakil at Nagercoil a more experienced man than the Assistant Head Sirkar Vakil ?

MR. K. GEORGE (*Chief Secretary to Government*) : I cannot say.

MR. M. GOVINDAN (*Nominated*) : Is not the Prosecuting Inspector a graduate in law ?

MR. K. GEORGE (*Chief Secretary to Government*) : Yes, he is.

Alteration of timings of motor buses plying between Trivandrum and Nagercoil.

69. **MR. A. THANU PILLAI** (*Trivandrum*) : Will the Government be pleased to state :

(*a*) whether any change has been recently effected in the timings of motor buses that run for hire between Trivandrum and Nagercoil;

(*b*) if the answer to part (*a*) is in the affirmative, the changes effected and the date on which the new timings came into effect ;

(*c*) whether the new timings have the effect of giving a monopoly of running buses to two companies ; and

(*d*) whether the Government have considered the effect of the new timings on the convenience of the public in the matter of travelling along this line ?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) Yes.

(*b*) There are in all 105 buses plying on the Trivandrum-Nagercoil line. 49 buses of Messrs. The Pioneer Motor Service excepting the Anchal, the Post and its support, which run daily, have been given timings for the first day with 15 minutes interval. The remaining 10 buses of Messrs. The Pioneer Motor Service, 10 buses of the Union Bus Service and 30 buses of the Triumph Syndicate Motor Service, Ltd., Nagercoil, have been given timings for the second day, as all the buses could not be given timings the same day. Previously, timings were granted in blocks of not exceeding 3 buses with 10 minutes interval. The new timings came into force from the 28th Kanni 1107.

(*c*) No timings are available even now.

(*d*) The present number of buses running at intervals of 15 minutes meets all the convenience of the travelling public.

MR. A. THANU PILLAI (*Trivandrum*) : May I know why this change was introduced ? Before the change, the interval between two consecutive timings was 10 minutes. A change has now been brought about thereby giving a monopoly to the buses of one company to run from a certain time one day to the corresponding time the next day. Meanwhile the buses belonging to the other company are not to run but simply to be kept in their garages.

MR. K. GEORGE (*Chief Secretary to Government*) : There is no monopoly, because timings *are* available even now.

MR. A. THANU PILLAI (*Trivandrum*) : Timings are *not* available now. The answer given is like that.

MR. K. GEORGE (*Chief Secretary to Government*) : I am sorry it is a misprint. It ought to be "No. Timings *are* available even now", and not "No timings are available even now".

MR. A. THANU PILLAI (*Trivandrum*) : The Chief Secretary might have told it before. If timings are available, I wish to know whether they are available at midnight or during day time when people are awake ?

MR. K. GEORGE (*Chief Secretary to Government*): I claim notice.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether the Government do not realise that allowing the buses of one company only to run on particular days would entail great inconvenience to the travelling public?

MR. K. GEORGE (*Chief Secretary to Government*): Government will call for a report from the Commissioner of Police in regard to the subject.

Abolition of the First Class Magistrate's Court, Alwaye.

70. **MR. K. P. ABRAHAM** (*Muvattupuzha cum Todupuzha*): Will the Government be pleased to state:

(*a*) whether they propose to abolish the Division First Class Magistrate's Court at Alwaye; and

(*b*) if so, their reasons for so doing, with a comparative reference to other similar First Class Magistrates' Courts in the State not now proposed to be abolished?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The question has not been considered by the Government so far.

(*b*) In view of the answer to part (*a*), this does not arise.

Action on the Report of the Minor Irrigation Committee.

71. **MR. K. MADHAVAN PILLAI** (*Trivandrum cum Nedumangad*): Will the Government be pleased to state:

(*a*) when the Report of the Minor Irrigation Committee was received by them; and

(*b*) the action, if any, taken or proposed to be taken on it?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) 4th October, 1931.

(*b*) The Report has been sent to the Press for printing. Action on the Report will be taken as soon as it is received printed.

Misappropriation in the Patents and Designs Office.

72. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

(*a*) whether Mr. R. Krishna Aiyar, B. A., B. L., clerk, Secretariat, is still (16-4-1107) under suspension;

(*b*) (i) whether they have ordered a general check of the accounts relating to the Patents and Designs Department for the whole period of Mr. R. Krishna Aiyar's term of office; and

(ii) if so, the result thereof;

(*c*) the date on which the Controller of Patents and Designs made his report of the misappropriation in the Patents and Designs Office;

(*d*) whether they have considered the question of the responsibility of the Controller of Patents and Designs in the matter, and

(*e*) if the Controller is guilty of any dereliction of duty what action do the Government propose to take?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) (i) Accounts are being checked; the work is not complete.

(ii) One more discrepancy has been found out in the course of checking.

(*c*) 21st February, 1931.

(*d*) and (*e*) These matters will be considered after the enquiry which has been ordered is over.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With regard to the answer to part (*a*) may I know from Government whether they have not already got sufficient material to remove Mr. Krishna Aiyar from service altogether?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): For dismissing him from service, definite charges ought to be framed; his explanation should be called for and evidence, if necessary, must be taken.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): My question is whether Government have not already sufficient evidence to dispense with his services. The actual punishment to be meted out to him may be ascertained after knowing the full details of his guilt. But already have not the Government sufficient material to dismiss him from service?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Before that step is taken Mr. Krishna Aiyar must be heard in his own defence, and then, if there is any necessity for recording any evidence, that also must be done.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With regard to part (*c*) may I know the corresponding Malabar date?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Some day early in Kumbham 1106.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the defalcation took place in 1105?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I wish to know the reason for the delay from 1105 to 1106 in reporting this matter to Government.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Two cases took place in 1105; but that does not mean that they were discovered in 1105.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): When were they discovered?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): About one I can positively say that it was discovered in Dhanu 1106. The date of the other discovery I am not in a position to give just now.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Did the Controlling Officer report about this defalcation as soon as it took place?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): He reported to Government as soon as he discovered the defalcation.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether Government believe the Controlling Officer to be in the know of this defalcation when it took place?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Government believe that he was *not* aware of it when it took place.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): The answer given by the Government to part (*b*) (i) of my question is not a specific one. I wish to know whether a general check of the accounts relating to the Patents and Designs Department for the whole period of Mr. Krishna Aiyar's term of office has been ordered?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): That has been ordered.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*). May I know whether there is not sufficient evidence to call for the explanation of the Controlling Officer for the dereliction of duty involved?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): After checking all the accounts, explanation, if found necessary, will be called for from the Controlling Officer. There were more Controlling Officers than one during Mr. Krishna Aiyar's term of office.

The Epidemiologist and the Entomologist.

73. **MR. K. P. MADHAVAN PILLAI** (*Shertallai*): Will the Government be pleased to state:

(*a*) the exact duties and functions of the Epidemiologist and the Entomologist; and

(*b*) whether the above functionaries are permanently stationed at Trivandrum?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) The duties and functions of the Epidemiologist are the collection of accurate data in regard to the occurrence of infectious diseases and of births and deaths and infantile mortality in the Vilavankod taluk. The Entomologist is concerned with the investigation into insect-borne diseases.

(*b*) Yes.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): May I know whether the work of the functionary mentioned is confined to a particular taluk?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Works regarding infectious diseases are carried on in the Vilavankod taluk only.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Then, may I know why he is stationed at Trivandrum?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): He has other work to do besides the work of the Epidemiologist. He is the Assistant to the Honorary Adviser of Public Health. He has also to supervise the work relating to hookworms.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Are these functionaries under the Sanitary Department?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : No, they are under the Honorary Adviser, Public Health.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : May I know wether there is any other agency in the Sanitary Department to furnish the data regarding births and deaths ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : Yes, the Sanitary Department has got this agency.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : Does the member mean to say that there are two agencies to furnish data in the matter of births and deaths ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : The agency under the Honorary Adviser, Public Health, is working only in the Vilavankod taluk while the other is working in the other taluks.

MR K .P. MADHAVAN PILLAI (*Shertallai*) : Is there an agency in the Vilavankod taluk under the Sanitary Department to furnish data about births and deaths?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) . I cannot say positively. I claim notice.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : May I know what the work of these functionaries is ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : So far as vital statistics are concerned, the Sanitary Assistants under the Epidemiologist attend to the registration of deaths from epidemics such as cholera and small-pox within their jurisdiction.

Establishment of a Land Mortgage Bank.

74. **MR. S. KRISHNA PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) whether any, and, if so, what proposals have been received from the Registrar of Co-operative Societies for the establishment of a Land Mortgage Bank as stated in the Financial Secretary's statement made in Karkatakam 1106, and, if not, what other steps the Government have taken in the matter; and

(*b*) how the Government propose to raise the necessary funds for starting the business of the bank ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : (*a*) and (*b*) The question of starting a Land Mortgage Bank is under the consideration of the Government and final orders on the subject will issue shortly.

MR. S. KRISHNA PILLAI (*Karunagapalli*) ; Will the member please read my question and then give an answer ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : The answer has been given after reading the question.

MR. S. KRISHNA PILLAI (*Karunagapalli*) ; My question is whether any proposals have been received from the Registrar of Co-operative Societies for the establishment of a Land Mortgage Bank?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): No definite proposals have been received.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I ask whether *any proposal* and not *any definite proposal* has been received from the Registrar of Co-operative Societies?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes, the Registrar has recommended that a Land Mortgage Bank should be established.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Was that recommendation made in the Report of the Banking Enquiry Committee or was it made after the Financial Secretary's statement in Karkatakam 1106?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Government have received no report from the Registrar of Co-operative Societies in regard to the establishment of a Land Mortgage Bank after the Financial Secretary's speech in 1106.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Did the Government address the Registrar of Co-operative Societies on the subject and call for a report as stated in the Financial Secretary's speech?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Did the Government get any reply?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): There were a number of difficult questions to be settled in connection with the starting of a Land Mortgage Bank. For that purpose a conference was called. The Registrar of Co-operative Societies, the Financial Secretary to Government, the Chief Secretary to Government, the Additional Head Sirkar Vakil and the Census Commissioner met under the presidency of the Dewan. The main points were settled. The Registrar and the Additional Head Sirkar Vakil were asked to draw up a definite scheme on the lines of the points settled at the conference. They drew up the scheme which was again considered by Government and the result of the consideration will be issued in the form of a G. O. soon.

MR. S. KRISHNA PILLAI (*Karunagapalli*): How long will it take for the publication of the G. O.?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): It will appear in the next Tuesday's *Gazette*.

LEGISLATIVE BUSINESS.

MR. O. M. THOMAS (*Kottayam*): Sir, before the House proceeds with the regular business of the day, I would request your permission to make a statement in regard to a matter of considerable public importance. In the provisional list of business to be transacted in this session of the Council, the first, second and the third readings of the Chitties Regulation Amendment Bill were also included.

PRESIDENT : Just tell me what statement you are going to make before you go on.

MR. O. M. THOMAS (*Kottayam*): A statement as to what has happened to the first, second and third readings of the Chitties Regulation Amendment Bill that were included in the provisional list.

PRESIDENT : The agenda has already been settled and it has been before the Council. You cannot go behind that and make a statement.

MR. O. M. THOMAS (*Kottayam*) : Sir, it is a matter that is looked forward to, by many sections of the people, as being one of considerable importance.

PRESIDENT : If you wanted that statement to be made, you ought to have taken my permission. I do not allow that statement being made here.

THE TRAVANCORE PARTITION BILL.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I beg to present the report of the Select Committee on the Travancore Partition Bill. Before moving for its second reading, I wish to point out that the Select Committee's report on the Partition Bill was supplied to the members only two days back. The rules of the House say that at least seven days previous to the consideration of the Bill copies must be made available for the use of the members and at least six days' notice must be given about the amendments. I think that some of the members feel that they had not sufficient time to go through the Bill and send in amendments.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : With regard to the Bill, may I know what the recommendations of the Select Committee are?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : The Select Committee has not made any recommendations. The function of the Select Committee was only to submit a report.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know what the majority opinion of the members of the Select Committee is ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The member has a copy of the report. He can go through it and find out what the majority opinion is.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : May I remind the member that the Select Committee's report and the Bill as amended were published in the *Gazette* dated 8th December 1931, and a copy of the *Gazette* was sent to all the members.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Standing Order 37, clause 1, sub-clause (i) says that if a copy of the report of the Select Committee has not been made available for the use of the members for seven days or if three months have not elapsed since the date of the first publication of the Bill, any member may object to its being taken into consideration. Not that I am particular about the number of days, but some of my friends are of opinion that they got a copy only two days back and were therefore unable to send in their amendments.

PRESIDENT: Was not a copy of the *Gazette* made available to the members?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The members are to be supplied with separate copies of even reports which are published in the *Gazette* so that their attention might be directed to it. I think a question was raised by Pandit Motilal Nehru in the Legislative Assembly on this point that though the Bill was published in the *Gazette of India*, because copies were not made available to the members otherwise than through the *Gazette*, the consideration of it should be postponed as there was not sufficient notice.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Has it been the practice of Government with regard to other Bills to send copies of Select Committee Reports to the members?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes, but this was supplied rather late, and I think, for the convenience of the members and for the better discussion of the Bill, it would be better to postpone it to the next session.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Standing Order, no doubt, says that copy of the report of the Select Committee together with copy of the Bill as amended should be circulated among the members. Besides that, the report should be published in the *Gazette*. A copy of the Bill as amended should also be published in the *Gazette* unless the Select Committee decides otherwise. I think that the Select Committee did not desire the publication of this Bill. This is what the Standing Order says:—

Standing Order 35.

> "The report of the Select Committee, any minutes that may have been recorded by individual members of the Committee, and, if the Bill has been amended, the Bill as amended by the Committee shall be printed and copies furnished to each member of the Council. The report and minutes, if any, and, if the Bill has been amended, the Bill as amended, or such portion thereof as may have been amended, shall also, unless otherwise directed by the Select Committee, be published in the Gazette."

Then Standing Order 37 (1) says:

> "After the presentation of the final report of the Select Committee on a Bill the member in charge may move—
>
> (i) that the Bill as reported by the Select Committee be taken into consideration, but any member may object to its being so taken into consideration if a copy of the report has not been available for the use of the members for seven days, or if three months have not elapsed from the date of the first publication of the Bill, and such objection shall prevail unless the President in the exercise of his power to suspend this order allows the report to be taken into consideration."

So, I think Mr. Asan is right in asking for the postponement.

PRESIDENT: Does any other member object to the Bill being taken up for consideration?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, in view of the objections set forth by Mr. Asan, I also propose that the consideration of the Bill be postponed.

PRESIDENT : The Bill will now stand over.

The consideration of the Travancore Partition Bill having been postponed, the House passed on to the next item in the agenda.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The following resolution was deemed to have been withdrawn as the member was absent :

> **MR. K. PADMANABHA PANIKKAR** (*Ambalapuzha*) : This Council recommends to the Government that the taxe on *vallams* used purely for agricultural purposes be abolished.

COMMITTEE ON THE REVISION OF SCALES OF PAY AND GRADES OF OFFICERS.

MR. A S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I beg to move the following resolution :

> "This Council recommends to the Government that a committee with an elected non-official majority be appointed to suggest measures to bring about greater uniformity in the grades and scales of pay and qualifications of officers of the various Departments of the State".

Sir, it has been repeatedly urged in this Council that the amount that is set apart for the salaries of officers is disproportionately large and that some method should be found out for reducing the same. It has also been brought to the notice of the Council that the low-paid subordinates of the departments, peons and others, are not getting sufficient pay in order to enable them to have a decent living. Another complaint that has been raised with regard to the pay of officers is that the officers in the higher grades—the Heads of Departments including the Dewan and other high-paid officers—are drawing too high salaries that some substantial reduction should be made. A fourth objection that has been levelled against the present system is that many of the departments are over-staffed and that without detriment to efficiency, some reduction could be effected in the number of persons serving in each of the departments.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know whether the member is aware of the existence of the Retrenchment Committee and its labours ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I am fully aware of that —its constitution, how it is functioning and all that. But I know quite well that the Retrenchment Committee will not do the functions which the committee contemplated under my resolution is to perform.

Sir, it is with this object that I suggest that a committee with an elected non-official majority be appointed to go into the whole question and to rectify the defects which have been brought to the notice of this Council on many occasions.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Does the resolution suggest the reduction of appointments ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): This resolution is to bring about greater uniformity in the grades and scales of pay and qualifications of officers.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): In respect of posts that are now in existence. But the resolution does not contemplate a reduction of staff.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In order to bring about greater uniformity in the grades of officers, it may be necessary to create some new posts and to abolish certain others.

MR. A. THANU PILLAI (*Trivandrum*): Will it also be necessary to introduce some new posts?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It may be. I do not say that it is necessary. I leave it to the committee to decide. We have been complaining that the Development Department in the State has not been functioning properly and..................

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Is it due to want of officers?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The member will please hear me and ask questions after I finish the sentence.

It has been stated that the Development Departments in the State are not given sufficient funds for carrying on the work to the best interests of the country. A question was asked by my friend whether it was ever suggested that the number of persons in the department is inadequate. Well, if more funds are allowed and if the work of the department is to be carried on more efficiently, it will be necessary to appoint more hands for carrying on its functions.

MR. K. GEORGE (*Chief Secretary to Government*): But, what has that to do with uniformity in the grades and scales of pay?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I have answered that question. In order to bring about greater uniformity, what I am suggesting is that it will be necessary to abolish certain posts and introduce certain others.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is the member aware that it was only very recently that a small committee known as the Salaries Committee was appointed and that it discharged its functions to the satisfaction of all?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It was not recently; it was about ten years back *i. e.*, before 1097.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Am I to understand that the committee contemplated by the member is expected to discharge the same duties as those discharged by the Salaries Committee?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): And other duties also. I think the scope of the Salaries Committee was limited. It was not so comprehensive as this; moreover ten years have elapsed and so many changes have taken place.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Does Mr. Asan think that this period of threatened deficit is the appropriate occasion for discussing and settling the salaries to be paid to officers?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): That is why I said that this committee is contemplated not to enhance the pay or to increase the number of appointments but to bring about greater uniformity in pay by reduction of the pay of high-paid officers.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I would like to know the exact scope of the resolution?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Four or five defects have been brought to the notice of this House. The first is that the expenditure on account of salaries of high-paid officers is very high and that it must be reduced; the second, that the low-paid subordinates, such as peons, etc., are not given an adequate pay to enable them to make a living; the third, that the high-paid officers in the State are drawing too much salary which our finances do not permit us now to pay and therefore it will be better to effect a reduction.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Would that not come under the first point mentioned by Mr. Asan?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): The first is a general question which could be tackled in so many ways of which one is by reducing the pay of the high-paid officers, another by reducing the number of appointments. It may be either considered as a sub-division of the first or as an independent one.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): My question is whether in this period of financial distress, it would be fair to call upon any committee to sit in judgment and say what would be the fair living wage either of a low-paid clerk or of those who are drawing high salaries, whether we can approach the question with that spirit of detachment which certainly all of us desire in settling such an important question. Does the member think that justice would be done?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): I fear that the learned Deputy President thinks that as a necessary concomitant of the recommendations of the committee there will be an increase of expenditure under the head of salaries. Is that what he means?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Whether it is a case of reduction of salaries or of enhancement of salaries, it falls within the scope of the resolution. What I wish to know is whether this is the proper occasion for considering the broad question of revising the scale, in fact going into the question of salaries to officers in the State generally—whether this is the occasion for it?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I think that this occasion is not in any way inopportune.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I only wanted his opinion on the matter.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I do not think that because we are passing through a period of economic stringency, the suggested committee will be unable to collect the necessary information, examine the conditions, pay and other circumstances prevailing and make suitable recommendations for the future.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : So, it is not a temporary retrenchment ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : It is not.

I am not going to anticipate what the recommendations of the committee will be. All that I wish to impress upon the House is that all these defects have been brought to the notice of this House on various occasions and that it is highly necessary to find out a remedy which will cure these defects at the earliest possible date.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : Will it not cost additional expense to Government ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I think it will only reduce the expenditure.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*) : ഈ കമ്മിററി അംഗങ്ങളെ കൌൺസിലിൽ നിന്നു തിരഞ്ഞെടുക്കണൊ, അതല്ല ഗവൺമെൻറു നിയമിച്ചാൽ മതിയോ ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) "എലക്ടെഡ്" എന്നു പറയുന്നുണ്ട്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*) അല്ല ഈ കൌൺസിലിൽ നിന്നു തിരഞ്ഞെടുക്കയാണോ വേണ്ടതു് ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : ഭൂരിപക്ഷം അനൌദ്യോഗസ്ഥാംഗങ്ങളും അടങ്ങിയിരിക്കണമെന്നാണ് എന്റെ ആശ.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Am I to understand the member to say that he has no confidence in the present Retrenchment Committee ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Karitkapalli*) : With regard to that, what I wish to say is that the present Retrenchment Committee is constituted by the Government with seven members on it consisting of the Financial Secretary, the Chief Secretary, the Land Revenue and Income-Tax commissioner, the Secretary to the Legislative Council, and three non-official members elected by this Council. It does not contain a non-official majority; and, moreover, the scope of the Retrenchment Committee is limited.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Then, has the member no confidence in that Committee ?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : Not that. I may have confidence in Mr. Robinson. But I may not expect him to perform the duties of the Excise Commissioner or the Dewan.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : May I know whether the Retrenchment Committee is concerned only with the reduction of pay while that proposed by Mr. Asan even intends to enhance the pay of some officers ?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : It may be necessary if the committee deems it fit. But this is to be a permanent arrangement while the Retrenchment Committee is to make recommendations for temporary reductions.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, on a point of order, I wish to know whether reduction or enhancement of pay comes under the scope of this resolution as it is worded. The resolution is regarding uniformity in the grades, scales of pay and qualifications of officers. In these circumstances, I wish to know whether reduction or enhancement of salaries properly and relevantly comes under the scope of the resolution as it is worded.

PRESIDENT : I think it would. Uniformity in the scales of pay might require raising in some places and lowering in some others. It is a question that will come under the scope of this resolution. It is not a temporary measure, as Mr. Asan pointed out, but a permanent one.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : My doubt is whether this resolution is not more for equalisation of grades or for achieving uniformity of grades, scales and qualifications than for a retrenchment scheme, for reducing or raising of pay.

PRESIDENT : In order to make certain scales uniform reduction or enhancement might be necessary. Suppose you take the pay of any officer in one department and that of a like officer in another department, you may find that there is difference. In order to bring about uniformity, you will have to reduce the one or raise the other.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*) : Will the member be satisfied by having a majority of non-officials on the present Retrenchment Committee ?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : No. What I said was that the Retrenchment Committee was only to make suggestions for the purpose of tiding over the present economic stringency.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : May I correct the member ? The G. O. runs as follows :

> "The Committee will investigate the means of retrenchment, both *temporary and permanent*, in the present expenditure of the State and after an examination of all possible economies with a view to stabilising the financial position make specific recommendations to Government for reducing the expenditure with due regard to the need of efficient administration ".

So the Retrenchment Committee is concerned not only with temporary reductions but also permanent reductions.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know how the Retrenchment Committee arrives at conclusions? Is it by taking votes?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Till now there was no necessity to take votes as the decisions were practically unanimous.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the member please say what procedure is adopted in other Committees whenever decisions have to be arrived at? Will he be satisfied if the same procedure is adopted in the Retrenchment Committee also?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): In the case of—

MR. A. THANU PILLAI (*Trivandrum*): Being a member of the Retrenchment Committee, I wish to correct the Financial Secretary.

PRESIDENT: Let us have an answer to the question put by Mr. S. Krishna Pillai.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): In the case of other committees what is usually done is that when there is a difference of opinion, votes are taken and conclusions are arrived at according to the decision of the majority. With regard to the Retrenchment Committee, if the same procedure is adopted and even if the three non-official members stand together, I am sure that they will never be able to carry out any of their proposals. If the Retrenchment Committee is following the procedure that is followed by the Finance Committee, votes are not taken and the Government as a matter of convention, accept the suggestions of the non-official members if there is unanimity amongst them. But I would say that there is much difference between the procedure that might have been adopted by the Retrenchment Committee and that is usually adopted by other committees. If there is no difference, that is for the worse of the non-official members as after taking votes the Government are not bound to follow even the conventions usually followed in the case of the Finance Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether Government are compelled by any convention or rule to accept the recommendations of the non-official committee which the member proposes?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): At least the committee will be competent to record an opinion in accordance with the wishes of the non-official members as there is to be a non-official majority. I do not think that Government would be compelled to act in accordance with the decisions of the non-official members unless a committee to which the Government is responsible is appointed.

MR. M. GOVINDAN (*Nominated*): Does not the member think that the functions of the Retrenchment Committee will overlap the functions of the committee to be constituted according to his resolution?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : I do not think so.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : One question, Sir, with regard to the statement that the member made a little while ago that the election must be made by this Council. May I ask whether that is an essential part of the resolution ?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): When Mr. Kunjitomman asked me whether the members to the committee could not be elected by this Council, I said that that would be better. The members to the committee may be elected by this Council or by the Sri Mulam Popular Assembly. I leave it entirely to the discretion of the Government. My only point is that there must be a non-official majority in the committee.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*) : Will the member be satisfied if, from among the elected members of this Council, the Government nominate some members to the Committee?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : I would prefer *election* by this Council, I have clearly stated *elected* non-official members should form the majority in the committee. The resoltion is clear on that point.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Am I to understand that, according to the member and his resolution, *any* member of the committee, should be elected by this Council?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): All that I have said is that it must be a committee consisting of a majority of non-official members responsible to the electorate. The election may be made by this Council or by the Assembly.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Does not the resolution include the elected members of Municipal Councils also ?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): It may include ; I simply say 'majority of elected non-officials.'

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*) : So, the members proposed by you can also be elected even from any other non-official association ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Let us have some clear idea of the position before we discuss and vote upon the resolution.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnathur*): My doubt is this, Sir. The member simply states in his resolution 'a majority of elected non-official members', Suppose, tomorrow, a non-official association is organised for some purpose or other. Can the members of the committee, now proposed, be elected from such an association ?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Certainly not ; I do not expect the Government to be so unreasonable.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Then, from which body of non-officials are the members of this Committee to be elected?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): I leave it entirely for the Government to decide. I do not expect the Government to choose the non-official members for this committee from any body or association which is to come into existence on a future date just for the purpose of affording an electorate for this purpose as it were. Only, I did not want to tie the hands of Government to any particular institution. That is why I said, in reply to Mr. Kunjitomman's question, that the members for this committee may be elected either from this Council or from the Assembly. I leave it entirely to the Government.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I suppose some form of *election* is insisted on?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Yes.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Only, the member has not disclosed the agency which is to elect the members?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): I leave that to Government.

RAO BAHADUR K.A. KRISHNA AIYANGAR (*Nominated, Deputy President*): So far as the wording of the resolution is concerned, it is not clear to us as to which is the electorate that is to elect the non-official members to the committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Some of the members may be elected by this Council and some others by the Assembly. The non-official members of this Council may elect the non-official members to this committeealso as they did in the case of the Jenmi-Kutiyan Round Table Conference, and as they elect members to the Standing Finance Committee. I do not expect the Government members to vote. I am sorry if the wording of the resolution is vague.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): In the case of the Finance Committee, the Government ask the Council to elect three members.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Government ask only the non-official members of the Council to vote, and not all the members of this Council.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): Which is the rule under which the members of the Finance Committee are elected?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): There is the G. O. for the constitution of the Finance Committee.

PRESIDENT: Mr. Asan has already stated that he would leave it to Government to decide as to how the election is to be made.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I suppose he insists on the word '*election*'. Certainly, the

[Rao Bahadur K. A. Krishna Aiyangar.]

House should have some idea as to what Mr. Asan has at the back of his mind in regard to the electorate and the body from which the members are to be elected.

MR. A. THANU PILLAI (*Trivandrum*): Will Mr. Asan be satisfied if, for instance, the Kuzhitturai Municipality is asked to elect, from among themselves, some members for this committee?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): No, no; I expect the Government to exercise the discretion, that I propose to give them, more intelligently. Certainly, they will not ask the Kuzhitturai Municipality or the Neyyattinkarai Village Panchayat to elect members for this committee.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Why not?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): This is a matter affecting the State as a whole. I do not, therefore, expect the Government to entrust the election of members for this committee to a body which is responsible for the interests of a specific locality and the experience of which is naturally limited to the locality concerned.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Does Mr. Asan suggest that the gentlemen who, in a humbler capacity, are serving in municipalities as the representatives of the people, are incompetent to consider this broader question?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not mean that.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): When my friend suggests that he does not expect the Government to go out of the way to the Kuzhitturai Municipality or to the Neyyattinkarai Village Panchayat, and ask them to elect members to this committee, I ask him "suppose in the Kuzhitturai Municipality there are members as intelligent, as responsible, as self-respecting, as experienced and as public-spirited as the members of this Council or of the Assembly". Does my friend, who is prepared to leave the matter entirely to the Government, intend to exclude such gentlemen, for the mere reason that they happen to be members only of the Kuzhitturai Municipality or of some such other *local* institution?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Why should the learned Deputy President choose one particular municipality, the Kuzhitturai Municipality,..................

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Excuse me; I am not responsible for choosing the Kuzhitturai Municipality; my friend must thank Mr. Thanu Pillai for that.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I could have very well appreciated the suggestion if the Trivandrum Municipality had been chosen for this purpose; because it is at least the Municipality of the metropolis.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know from my friend, what is the portion of the resolution which prevents the Government from exercising their discretion in favour of the Kuzhitturai Municipality, for instance, as has been suggested?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): There may not be anything in the resolution itself which fetters the discretion of the Government in the matter; only I expect the Government to exercise their discretion in the proper manner and in consonance with the intention contained in the resolution and the functions of the committee.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Could not the member have been more precise in wording his resolution?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Precise, as to what, I would like to know.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): As to the mode of the election, the qualification of the members to be elected, the extent of the discretion to be exercised by the Government in the matter of the election...............

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In regard to the improvement of the wording of the resolution, it is quite open to my friends to make their suggestions when their turns come; and if such suggestions are reasonable and acceptable to me, I shall have absolutely no objection to have the resolution amended. I do not, for a moment, maintain that the wording of the resolution is perfect. I think it is the duty of my friends here to suggest amendments and to make it perfect.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*) Though not perfect, should it not be definite?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): When I admit that it is not perfect, it includes the want of definiteness, the want of precision.........

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): Should it not be sufficiently intelligible?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*). It is certainly intelligible to all persons who are capable of understanding ordinary things.

PRESIDENT: That is not a fair statement, Mr. Asan.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not cast any reflection on anybody. My point is that the resolution would be intelligible only to those who try to understand it in that light.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): Is this the way in which a man of ordinary intelligence should move a resolution in this Council?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Surely.

PRESIDENT: I do not want things here to go on that way. I must say, Mr. Asan, that your answer to Mr. K. P. Madhavan Pillai was not parliamentary.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I am sorry, Sir.

I suggest, Sir, that the committee, suggested in the resolution, may be constituted in order to remedy the defects which have been brought to light in this Council and elsewhere, in the matter of the grades and scales of pay in the public service.

With these words, I move the resolution for the acceptance of the House.

PRESIDENT: The resolution has not been seconded. Therefore it falls to the ground.

The resolution fell through for want of seconding.

The following resolution was not moved;—

MR. RAMA VARMA RAJA (*Edavagai*):

This Council recommends to the Government that, in view of the present economic depression, the pay of the Government officers be reduced as follows until normal conditions are restored:—

(i) Pay of officers drawing		Rs.	150 to 300 be reduced by		15 per cent;	
(ii)	do.	do.	300 to 500	do.	20	do. and
(iii)	do.	do.	500 and above	do.	30	do.

REPRESENTATION OF TAMIL-QUALIFIED PERSONS IN THE VERNACULAR TEXT-BOOK COMMITTEE.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): Sir, in view of the importance of the resolution I am going to move, I request that I may be permitted to speak in Tamil though I usually speak in this Council in Malayalam.

PRESIDENT: Members know that there is a kind of convention that each member should choose, on the first occasion that he rises to speak in this Council, the language in which he would like to address the House. I made a slight modification in that by allowing members to speak in English, or, if they find that they could express themselves better in the vernacular, to choose their own vernacular. Mr. Subrahmanya Pillai has till now been addressing the Council in Malayalam. Now he wants to be allowed to talk in Tamil. I do not think I can extend the concession to that extent, since he has already definitely chosen his vernacular language for addressing this House. Malayalam is the vernacular language in which he has chosen to address the Council; and I think he should stick to that.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): Sir, I beg to move the following resolution:—

"This council recommends to the Government that the Vernacular Text Book Committee be represented by not less than three persons qualified in Tamil"

പുരാതനകാലം തുടങ്ങി ഇതുവരെ തമിഴ് നാടു എന്ന അഭിമാനത്തിനു പാത്രീഭവിച്ചിരുന്ന ഈ തിരുവിതാംകൂർ സംസ്ഥാനത്തു തമിഴ്ഭാഷയുടെ ഇന്നത്തെ സ്ഥിതി ഏററവും ശോചനീയമായ നിലയിലാണിരിക്കുന്നതെന്നുള്ള പരമാൎത്ഥം ഞാൻ പറയാതെ തന്നെ എല്ലാവൎക്കും അറിവുള്ളതാണ്.

PRESIDENT: Mr. Subrahmanya Pillai, though you have been hitherto speaking here in Malayalam, I may suggest to you that, if you like, you may *now* speak in English; because that would be of some help. Mr. McAlpine has to reply to your resolution and he knows only English.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): I would prefer Tamil.

PRESIDENT: Tamil being barred, which is the language that you would choose?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): I would choose Malayalam then.

ആണ്ടുതോറും വിദ്യാഭ്യാസ ഡിപ്പാൎട്ടുമെൻറിലേക്ക് ഒരു വമ്പിച്ച തുക നമ്മുടെ ഗവൺമെൻറു ചിലവാക്കിവരുന്നു എന്നുള്ളതു് ബഡ്ജററുകൊണ്ടും മററു പല റിക്കാൎഡുകൾകൊണ്ടും കാണാവുന്നതാണ്. എന്നാൽ ഇത്രയും തുക ചിലവാക്കിയിട്ടും അതനുസരിച്ചുള്ള പ്രയോജനം ലഭിക്കുന്നില്ലെന്നുള്ള സംഗതിയെക്കുറിച്ചു ബഡ്ജററുയോഗാവസരത്തിൽ എൻെറ പല സഹോദരസാമാജികന്മാരും അഭിപ്രായപ്പെട്ടിട്ടുള്ളതായി ഞാൻ ഓൎക്കുന്നുണ്ടു്. ഈ സംസ്ഥാനത്തുള്ള പ്രധാന ഭാഷകൾ തമിഴും മലയാളവുമാകുന്നു. ഇന്നത്തെ കാലസ്ഥിതിയനുസരിച്ചു ഇംഗ്ലീഷ ഭാഷയ്ക്കു കൂടുതൽ പ്രാധാന്യം ചിലർ കല്പിച്ചിട്ടുണ്ടെങ്കിലും നാട്ടുഭാഷകളായ തമിഴ്, മലയാളം, ഇവകളെ നമുക്കു് ഒരിക്കലും വിസ്മരിക്കാൻ പാടില്ലെന്നു മാത്രമല്ല അതു് ഈ രാജ്യമുള്ളിടത്തോളംകാലം ഇവിടെ നിലനിൽക്കയും ചെയ്യും. ഈ സംഗതിയെ തീരെ അവഗണിച്ചാണു ഇന്നത്തെ പാഠ്യപുസ്തകക്കമ്മിററിയിൽ അംഗങ്ങളെ തിരഞ്ഞെടുത്തിട്ടുള്ളതു്. തമിഴ്ഭാഷാപരിജ്ഞാനമൊ അല്ലെങ്കിൽ അതിൽ പാണ്ഡിത്യമൊ ഉള്ള ആളുകൾ ഈ കമ്മിററിയിൽ ഇല്ല എന്നുള്ള സംഗതി വ്യസനസമേതം പ്രസ്താവിക്കേണ്ടിയിരിക്കുന്നു. പാഠപുസ്തകങ്ങളായി സ്വീകരിക്കപ്പെടേണ്ട പുസ്തകങ്ങളുടെ യോഗ്യതകളെപ്പററി നല്ലവണ്ണം അറിഞ്ഞു വിചിന്തനംചെയ്തു സ്വീകരിക്കേണ്ട ചുമതല പാഠ്യപുസ്തകക്കമ്മിററിക്കുള്ളതുകൊണ്ടു പരീക്ഷായോഗ്യതയും പാണ്ഡിത്യവുമുള്ള ആളുകളെ തന്നെ അതിൽ അംഗങ്ങളായി നിയമിക്കണമെന്നാണ് എൻെറ അഭിപ്രായം.

MR. E. G. MCALPINE (*Director of Public Instruction*): On a point of order, Sir, I understand that the member is speaking on a proposition which is not the one that he has placed before the House. The proposition before the House is "This Council recommends to the Government that the Vernacular Text-Book Committee be represented by not less than three persons qualified in Tamil."

I understand that the member is recommending something quite different now, namely, that Tamil should be represented in the Text-Book Committee by three duly qualified persons. That is quite different from his resolution which suggests that the Text-Book Committee must be represented by three persons duly qualified in Tamil. And, I have come prepared to answer his resolution that he has formally moved. I ask for a ruling from the Chair.

MR. N. A. SUNDARAM PILLAI (*Torala*): May I know, Sir, how many members there are on the Text-Book Committee?

PRESIDENT: Mr. McAlpine has raised a point of order. You cannot ask him a question now.

MR. N. A. SUNDARAM PILLAI (*Torala*): I was not able to hear him.

PRESIDENT: I thought he was talking loud enough; I am sorry you could not hear him.

The point that Mr. McAlpine has raised is about the wording of the resolution. As it stands, it means that the Vernacular Text-Book Committee must be represented by three persons duly qualified in Tamil. Evidently, what Mr. Subrahmanya Pillai means is that in the Vernacular Text-Book Committee, there should be three members proficient in Tamil. I think that is what you mean, Mr. Subrahmanya Pillai?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): Yes, Sir.

PRESIDENT: Will you kindly amend your resolution properly?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): റസല്യൂഷൻ മലയാളത്തിലോ ഇംഗ്ലീഷിലോ അയച്ചതു്?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): ഇംഗ്ലീഷിലാണു്.

PRESIDENT: You may say "..........*that, on the Vernacular Text-Book Committee, there shall be at least three members qualified in Tamil.............*"

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): I have no objection to amend the resolution like that.

PRESIDENT: In the amended form you may speak on the resolution.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): ഇപ്രകാരം പരീക്ഷായോഗ്യതയോ പാണ്ഡിത്യമോ ഇല്ലാത്ത അംഗങ്ങളടങ്ങിയ ഒരു കമ്മറ്റിയിൽനിന്നും തിരഞ്ഞെടുക്കപ്പെടുന്ന പാഠ്യപുസ്തകങ്ങൾ എത്രത്തോളം ഉപയോഗപ്രദമായിരിക്കുമെന്നുള്ളതു് അനുഭവസ്ഥന്മാർക്കു നല്ലപോലെ അറിയാവുന്ന ഒരു സംഗതിയാണു്.

MR. A. THANU PILLAI (*Trivandrum*): പാഠ്യപുസ്തകക്കമ്മെററിയിൽ തമിഴറിയാവുന്ന മെമ്പർമാർ എത്രപേരുണ്ട്?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): തമിഴറിയാവുന്നവർ കാണുമായിരിക്കാം. എന്നാൽ തമിഴിൽ വിശേഷ പാണ്ഡിത്യമൊ തമിഴ് പണ്ഡിതന്മാർ സമ്മതിക്കത്തക്ക നിലയിലുള്ള പരീക്ഷായോഗ്യതയൊ ഉള്ളവരാരുമില്ല.

MR. A. THANU PILLAI (*Trivandrum*): തമിഴറിയാവുന്നവർ എത്ര പേരുണ്ട്.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): മൂന്നപേരുണ്ട്. അവർക്ക് തമിഴിൽ വിശേഷപാണ്ഡിത്യയോഗ്യത ഒന്നുമില്ലെന്നാണ് എൻെറ അറിവ്. അവരിൽ ചിലർക്ക് തമിഴ്ഭാഷ നല്ല പോലെ സംസാരിക്കാൻപോലും വശമുണ്ടെന്ന തോന്നുന്നില്ല.

പാഠ്യപുസ്തകങ്ങളുടെ തിരഞ്ഞെടുപ്പിനെസംബന്ധിച്ച ഉദാഹരണമായി പറയുകയാണെങ്കിൽ ഈ കമ്മിററിയുടെ തമിഴ പരിജ്ഞാനം ബോദ്ധ്യപ്പെട്ടും. തമിഴിലുള്ള "നന്നൂൽ" എന്നപുസ്തകത്തിലെ അധികം ഭാഗങ്ങളേയും തിരസ്കരിച്ച ചില ഭാഗങ്ങൾമാത്രം സ്വീകരിച്ചിട്ടുണ്ട്. അങ്ങിനെ ചില ഭാഗങ്ങൾ തള്ളിക്കളയുവാനും ചില ഭാഗങ്ങൾ സ്വീകരിക്കാനുമുള്ള കാരണമെന്തെന്ന ചോദിച്ചാൽ അതിനുള്ള മറുപടി മദ്രാസിലുള്ള ടെക്സ്റ്റ്ബുക്കുകമ്മിററി അംഗീകരിച്ചതുകൊണ്ടു ഞങ്ങളും അംഗീകരിക്കുന്നതിനിടയായി എന്നായിരിക്കും. സ്വന്തമായിതിരഞ്ഞെടുക്കുന്നതിന സാധിക്കാതെ, വേറൊരു ബുക്കുകമ്മിററി അംഗീകരിച്ചതംഗീകരിക്ക എന്നുള്ളതാണ് ഈ കമ്മിററി ചെയ്യുന്നതെങ്കിൽ ആ കമ്മിററി നിർത്തൽചെയ്യുന്നതാണ് നല്ലതെന്ന എനിക്ക തോന്നിപ്പോകുന്നു. അതിനാൽ തമിഴ്ഭാഷയിൽ പരീക്ഷായോഗ്യതയുള്ള മൂന്നപേരെ കൂടി പാഠ്യപുസ്തകക്കമ്മെററിയിലെ അംഗങ്ങളാക്കണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ സഭയുടെ പര്യാലോചനയ്ക്കായി സമർപ്പിച്ചുകൊള്ളുന്നു.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know the standard of qualification in Tamil proscribed by the member?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): മൂന്നപേർ തമിഴ്പണ്ഡിററു്പരീക്ഷ പാസ്സായിട്ടുള്ളവരൊ, തമിഴ്വിദ്വാന്മാരൊ, തമിഴ പണ്ഡിതനെന്ന തമിഴ്പണ്ഡിതലോകം സമ്മതിക്കുന്നവരൊ,തിരുവിതാംകൂർസംസ്ഥാനത്തുകിട്ടുമെങ്കിൽ അവർക്കു പ്രാധാന്യം നൽകണം.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether he would recognise a scholar like Mr. Olloor Paramesvara Aiyar as duly qualified for representing Tamil in the Committee?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): അദ്ദേഹം മലയാളത്തിൽ വലിയ പണ്ഡിതനും കവിയുമാണെന്നറിയാം; തമിഴിനെ സംബന്ധിച്ചിടത്തോളം അദ്ദേഹത്തിന്റെ പരിജ്ഞാനം എത്രത്തോളമുണ്ടെന്ന് എനിക്കു നിശ്ചയമില്ല.

MR. A. THANU PILLAI (*Trivandrum*): ഇപ്പോൾ തമിഴറിയാവുന്ന മെമ്പർമാർക്കു തമിഴിൽ പരീക്ഷായോഗ്യതയില്ലേ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): തമിഴ് പണ്ഡിതന്മാർ സമ്മതിക്കത്തക്കവണ്ണമുള്ള പരീക്ഷായോഗ്യതയില്ല.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): മി: കെ. ജി. ശേഷയ്യർ അതിൽ ഒരംഗമല്ലേ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): അല്ലെന്നാണ് എന്റെ അറിവ്.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): ഇപ്പോഴത്തെ മൂന്ന് അംഗങ്ങളാരെല്ലാമാണ്?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): മെസ്സേഴ്സ് രാമസ്വാമിശാസ്ത്രി, അനന്തകൃഷ്ണയ്യർ, മഹമ്മദൻ ഇൻസ്പെക്ടർ ആഫ് സ്കൂൾസ് ഇവരാണ്.

PRESIDENT: Is Mr. Sesha Aiyar on the Committee?

MR. A. THANU PILLAI (*Trivandrum*): മി: രാമസ്വാമിശാസ്ത്രി തമിഴിലൊ മലയാളത്തിലൊ എം. എ. പാസ്സായിട്ടുള്ളത്?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): മലയാളത്തിലാണ് പാസ്സായിട്ടുള്ളതെങ്കിലും തമിഴറിയാവുന്ന ആളാണ്.

MR. N. A. SUNDARAM PILLAI (*Tovala*): Sir, I rise to second the resolution. But, before I do so, I would like to get information from the Director of Public Instruction as to the total strength of the Committee itself.

PRESIDENT: You ought to have asked for the information and got it before you started to second the resolution. All the same, if you go on, I shall let you have the information. What is *your* information in the matter.

MR. N. A. SUNDARAM PILLAI (*Tovala*): I am not aware of the total strength of the Committee.

PRESIDENT: One would expect you to be well posted with such information on this question before you started to second the resolution.

MR. E. G. MCALPINE (*Director of Public Instruction*): The Committee consists of eleven members including the President.

MR. N. A. SUNDARAM PILLAI (*Tovala*) : There is no denying the fact that the Tamil language forms the language of conversation among a considerable section of the people of Travancore. Sir, Tamil has a recognised tradition behind it. It has a culture of its own. Still, it is not being given its due recognition by the Government of Travancore. It is true that on the Text-Book Committee there are a few members who know Tamil; but their only qualification in Tamil is that Tamil happens to be their mother tongue. They are not experts in the language. Mr. Ramiah Sastri, who is a member of the Committee, so far as I know, is a Master of Arts in Malayalam. I do not think he had Tamil as his optional subject in any class.

PRESIDENT : I think he had Malayalam *and* Tamil for his B. A. or M. A.

MR. N. A. SUNDARAM PILLAI (*Tovala*): No; only Malayalam, I think.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): But, does not Mr. Sastri preside over the Tamil Branch in the College?

MR. N. A. SUNDARAM PILLAI (*Tovala*) : Probably, he is associated Professor of Dravidian languages.

PRESIDENT : Are you sure, Mr. Sundaram Pillai that he did not have Tamil also for his B. A. or M. A.? I think there must be two languages for the M. A.

MR. N. A. SUNDARAM PILLAI (*Tovala*) : I am not aware of that fact, Sir.

And then, there is Mr. Mahomed, the Mahomedan Inspector of Schools, on the committee. He is an expert in Arabic but knows nothing of Tamil. As for Mr. Anantakrishna Aiyar, who is also a member of the Committee, throughout his scholastic and collegiate career, he had Malayalam. It is therefore clear that Tamil is systematically being neglected so far as this Committee is concerned. And, books which are not suitable for the students are being prescribed as texts. Some of the books are ridiculously unsuited for the classes for which they are prescribed. I have had occasion to receive complaints from teachers that the books prescribed are not suitable for the students. I would therefore beg of the Government to put in on the committee proper representatives to represent the interests of Tamil.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, I rise to support the motion. Though I support the mover, I do not agree with him in regard to the qualification that he prescribes for the representatives in the Committee. His suggestion is that the representatives must have passed the Vidvan Test or some other examination in Tamil. I think the choice of representatives should not be restricted to persons having such examination qualifications alone. Since the function of the committee is to choose suitable text-books, the members chosen

[Mr. K. Kunjukrishna Pillai.]

should be such as would be able to understand and appreciate Tamil literature. I would not, in this matter, attach so much importance to mere examination qualification. Further, even if very highly qualified men are appointed to serve on the Committee, there is no guarantee that the object of my friend, Mr. Subrahmanya Pillai, would be achieved. Because, whatever may be the text-books that the members of the Committee may recommend, ultimately, I understand, the final recommendation has to go from the Director who himself does not know Tamil or Malayalam. Therefore, unless there is an absolute rule that the books recommended by the Text-Book Committee must be prescribed as texts, under the present circumstances, there would not be much use so far as the mover's object is concerned. The best of persons being on the Committee would be of absolutely no purpose so far as the quality of the text-books is concerned. The personnel of the Committee is quite immaterial so long as the final authority in the matter of prescribing the text-books is not the Text-Book Committee.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): ടെക്സ്റ്റുബുക്കുകമ്മററി തിരഞ്ഞെടുക്കുന്ന പുസ്തകങ്ങളാം അല്ലേ ഇപ്പോഴം പാഠപുസ്തകങ്ങളായി വരുന്നതു്.

MR. E. G. MCALPINE (*Director of Public Instruction*): On a point of order, Sir, or rather a point of explanation, I wish to correct the member on a point of fact. The member said that it was of no purpose who serves on the Committee since the final recommendation in the matter of the text-books to be prescribed rested with the Director who knows neither Tamil nor Malayalam. Sir, as a matter of fact, it does not rest with the Director at all. It is the Government that prescribes the text-books. From the Director the matter goes up to the Government.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know with whom the matter rests really?

MR. E. G. MCALPINE (*Director of Public Instruction*): With the Government, and not with me who knows neither Malayalam nor Tamil.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): What I wanted to suggest was that, if ultimately the recommendations of the Text-Book Committee are not going to be respected by the final authority on the matter, there was really no purpose in putting in most qualified men on the Committee. Technically, as the Director says, the Government may prescribe the text-books.

MR. R. S. SUBRAHMANYA PILLAI (*Kulkulam cum Vilavankod*): കമ്മററി അംഗീകരിച്ചിട്ടുള്ള പുസ്തകങ്ങളല്ലേ ടെക്സ്റ്റുബുക്കായി റെക്കമെൻറു ചെയ്യുന്നതു്?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I know of instances in which books, with which the Text-Book Committee had nothing to do,

have been prescribed. I also know of instances in which the Government have proscribed books which have been positively rejected by the Text-Book Committee.

MR. R. S. SUBRAHMANYA PILLAI (*Kulkulam* cum *Vilavankod*): ഇപ്പോഴത്തെ ടെക്സ്റ്റുബുക്കുകമ്മററികൊണ്ടു യാതൊരു പ്രയോഗവുമില്ലെന്നാണൊ മെംബറുടെ അഭിപ്രായം?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): My definite information is that in the Text-Book Committee, as it functions at the present day, it is immaterial as to who is there; because it is only an ornamental body without any powers, and its recommendations have very little value.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): In that particular aspect of the question, is Malayalam in a better position than Tamil?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): No language is better than any other; because, there is absolutely no use of the present Committee. That was why I was telling my friend that, though this resolution was a very good one, a very reasonable proposition, it would not serve the purpose for which it was intended unless the Text-Book Committee itself was made solely responsible for the prescription of text-books.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*); ബുക്കുകമ്മററി തിരസ്കരിച്ച പുസ്തകങ്ങളും പാഠപുസ്തകങ്ങളായി എടുത്തിട്ടുണ്ടെന്നു മെംബൎക്കു നിശ്ചയമുണ്ടൊ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): ഉണ്ടു്.

PRESIDENT: I must say the discussion is going off the track.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I would very heartily support the resolution, and at the same time tell my friend, remind my friend, that there is not much purpose going to be served by this resolution being carried.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): I rise to support the resolution of Mr. Subrahmanya Pillai. So far as I am able to see, the members on the Committee, who have been entrusted with the function of selecting text-books in Tamil, have not got sufficient knowledge in Tamil; at any rate, they have not got any university qualification in Tamil, nor even any title or certificate showing their proficiency in the language. It is very strange that people with sufficient knowledge in Tamil could not be found out to serve on the Committee. There are ever so many Tamil graduates, *pandits* and others who are competent to select Tamil text-books. I would therefore strongly support the resolution and request the Government to make proper selection of members, to serve on the Committee and to select proper Tamil text-books.

MR. E. G. MCALPINE (*Director of Public Instruction*): Sir, if the member who has moved the resolution will kindly drop the numerical ratio of the representation, of persons qualified in Tamil, in the Committee, and simply say "……… ..*that Tamil should be more adequately*

[Mr. E. G. Mc Alpine.

represented........ ..." then, I am perfectly willing to accept the resolution. Because, he wants three members to represent Tamil in the Committee. And, *three* members, in a Committee of *eleven*, for Tamil are too many considering the number of Tamil taluks in the State. Tamil is not really entitled, in Travancore, to so much representation.

MR. A. THANU PILLAI (*Trivandrum*): May I know the strength of the Vernacular Text-Book Committee?

PRESIDENT: Eleven, he said, including the President.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know the functions of the Text-Book Committee as at present constituted?

PRESIDENT: I suppose everybody knows that.

MR. A. THANU PILLAI (*Trivandrum*): May I know the distribution of these eleven members, how many for Malayalam, how many for Tamil?

MR. E. G. MCALPINE (*Director of Public Instruction*): It is not languages alone that this Committee has to consider: there are other subjects also, besides Tamil, Malayalam and Sanskrit. There are other subjects in the school curriculum.

MR. A. THANU PILLAI (*Trivandrum*): That is all right. But, I suppose, each member is chosen in the light of his special proficiency in a particular subject; one member for science, another for arithmetic, another for Tamil, and so on. May I know the distribution of the subjects among the eleven members who serve on the Committee?

MR. E. G. MCALPINE (*Director of Public Instruction*): The present Committee was constituted before I came here and I do not know the exact numerical ratio allotted to each subject or language so far as the present Committee is concerned.

MR. A. THANU PILLAI (*Trivandrum*): I should like to know the names of the members who are proficient in Malayalam?

MR. E. G. MCALPINE (*Director of Public Instruction*): I suppose, if I read the names of the members of the Committee, the member would be in a position to form his own conclusion as to the qualifications of each one of them. The name of the members of the Vernacular Text-Book Committee are given on page 332 of the Civil List.

They are—

The Inspector of Vernacular Schools,
The Inspector of English Schools,
The Mahomedan Inspector of Schools,
Mr. K. Paramesvaran Pillai,
Mr. C. N. A. Ramaiah Sastri,
Mr. C. P. Thomas,
Mr. A. Gopala Menon,
Mr. P. K. Narayana Pillai,

Mr. C. V. Kunjuraman,
Mr. K. Paramesvaran Pillai, and
Mr. K. R. Krishna Pillai.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): ഇപ്പോഴത്തെ പാഠ്യപുസ്തകക്കമ്മിററിയിൽ തമിഴിൽ പരീക്ഷായോഗ്യതയുള്ള അംഗങ്ങളുണ്ടോ ?

MR. E. G. MCALPINE (*Director of Public Instruction*): Sir, I would like to get from the member his answer to my question whether he is prepared to amend the resolution as I have suggested. I am in perfect agreement with the member that Tamil should have more adequate representation in the Text-Book Committee.

PRESIDENT: Mr. Subrahmanya Pillai, Mr. McAlpine says that he would be prepared to accept your resolution if you would slightly modify the wording. Instead of saying that there must be three members to represent Tamil in the Committee, if you simply say that Tamil should be more adequately represented in the Committee, he is prepared to accept your resolution.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavanko.l*): I accept the amendment suggested by the Director.

PRESIDENT: What do you say, Mr. Sundaram Pillai?

MR. N. A. SUNDARAM PILLAI (*Torala*): There is no harm in accepting the amendment. I accept it. What does the Director mean by saying 'Tamil should be *more adequately* represented'?

PRESIDENT: Having once stated that you too agree to the amendment, you cannot now raise that question. That is out of order. It was to avoid this that I took the precaution of asking your assent also for the amendment.

MR. N. A. SUNDARAM PILLAI (*Torala*): My point is this, Sir. When there is absolutely *no* representation now, there is no meaning in saying '......*more* adequately represented......'

PRESIDENT: The resolution of Mr. Subrahmanya Pillai, in its modified form, has been accepted by the Government. The phrase "*more adequately represented*" is substituted for the numerical proportion in his resolution as moved.

The following resolutions were deemed to have been withdrawn as the members were absent:—

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): This Council recommends to the Government that a committee of officials and non-officials, with a non-official majority, be appointed to go into the question of the existing abnormally high land tax in Nanjinad and to fix suitable tax in consonance with such facts like low price of paddy, high cost of labour and want of green manure.

MR. K. PADMANABHA PANIKKAR (*Ambalapusha*): This Council recommends to the Government that a committee be appointed to enquire into the causes that lead to unusually high floods in Travancore and to suggest relief measures during floods.

PRESIDENT: The business before the House for this day has been finished. The House will now rise and meet again tomorrow at 11-30 A. M.

The Council rose for the day at 1-35 P. M.

P. VISWANATHA AIYAR,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL

FOURTH COUNCIL.

FIRST SESSION OF 1107.

OFFICIAL REPORT.

Saturday, the 19th December, 1931/4th Dhanu, 1107.

The Council met in the Victoria Jubilee Town Hall, at eleven-thirtythree of the Clock, the President presiding.

The following members were absent.

1. Mrs. Anna Chandi.
2. Mr. L. J. T. Polgreen.
3. Mr. K. Padmanabha Panikkar.

QUESTIONS AND ANSWERS.

Appointments made in the Excise Department during 1105 and 1106.

75. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of appointments made during 1105 and 1106 in the following grades of the Excise Department and the number of Muslims who got such appointments :—

(i) Inspectors;
(ii) Petty Officers;
(iii) Peons; and
(iv) Clerks?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The information required is given below :—

Year.			*No. of appointments made.*	*No. of Muslims appointed.*
1105.	(i) Inspectors	...	1	Nil.
	(ii) Petty Officers	...	6	1
	(iii) Peons	...	66	1
	(iv) Clerks	...	26	2
1106.	(i) Inspectors	...	6	Nil.
	(ii) Petty Officers	...	6	Nil.
	(iii) Peons	...	81	1
	(iv) Clerks	..	7	Nil.

MR. P. S. MAHOMED (*Nominated*): എക്സൈസ് ഡിപ്പാർട്ടുമെന്റിൽ ൧൧൦൬-ൽ നൂറു ശിപായിമാരെ നിയമിച്ചിട്ടുള്ളതിൽ ഒരു മഹമ്മദീയൻ മാത്രമെ കാണുന്നുള്ളു. അതു് പ്യൂൺ ഉദ്യോഗത്തിനു യോഗ്യതയുള്ള മഹമ്മദീയർ ഇല്ലാതിരുന്നതു കൊണ്ടായിരിക്കുമോ?

G. P. T. 1759—300—1-9-07.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): പ്യൂൺ ഉദ്യോഗത്തിനു അപേക്ഷകന്മാരില്ലാതിരുന്നിരിക്കണം.

MR. P. S. MAHOMED (*Nominated*): അപേക്ഷകന്മാർ ഉണ്ടായിരുന്നോ ഇല്ലയോ എന്നു ഗവൺമെൻറ് അന്വേഷിച്ചിട്ടുണ്ടോ ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അപേക്ഷകന്മാരുണ്ടായിരുന്നതായിട്ടു പറഞ്ഞിട്ടില്ല.

MR. P. S. MAHOMED (*Nominated*): ഫ ഫ ം ന്നു ൽ വ്യ ഫ ശിപായിമാരെ നിയമിച്ചിട്ടുള്ളതിലും ഒരു മഹമ്മദീയനെ കാണുന്നുള്ളു. അതും അപേക്ഷകന്മാരില്ല എന്നുള്ള കാരണമാണോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): ആയിരിക്കണം.

MR. P. S. MAHOMED (*Nominated*): ഈ ഡിപ്പാർട്ടുമെൻറുവന്നകാലത്തു അതിനെപ്പറ്റി വല്ല അന്വേഷണവും ഗവൺമെൻറു നടത്തിയിട്ടുണ്ടോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*). പ്യൂൺസിൻെറ നിയമനവിഷയം ഗവൺമെൻറിലേക്കു വരേണ്ട ആവശ്യമില്ല. അതുകൊണ്ടു അന്വേഷണം നടത്തിയിട്ടില്ല.

Appointments made in the Anchal Department in 1106.

76. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of appointments made in 1106 in the following grades of the Anchal Department and the number of Muslims who got such appointments:

(i) Anchal Masters;
(ii) Clerks; and
(iii) Peons?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (i) and (ii) 5. Anchal masters and clerks are included in one and the same category.

(iii) 14.

No Muslim was appointed in any of the above classes since no one with the requisite qualifications had applied.

Abolition of the toll-gate at Neduvangad.

77. **MR. S. CHATTANATHA KARAYALAR** (*Pattanapuram cum Shencotta*): Will the Government be pleased to state:

(*a*) whether they have received any representations from the people praying for the abolition of the toll-gate at Neduvangad;

(*b*) the action taken by the Government on those representations; and

(*c*) whether they propose to abolish the gate, and, if so, when?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The answer is in the negative.

(*b*) This does not arise, in view of answer to part (*a*) above.

(*c*) The Government do not propose to abolish the gate.

Filarial survey in Trivandrum.

78. **MR. K. P. MADHAVAN PILLAI** (*Chirayinkil*): Will the Government be pleased to state:

(*a*) whether the filarial survey in Trivandrum is over; and

(*b*) if the answer to part (*a*) is in the affirmative, with what results?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) The survey work is not yet complete.

(*b*) The question does not arise, in view of the answer to part (*a*) above.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): May I know, with reference to part (*a*), how long will it take to complete the work?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The filarial survey will be completed by the end of December. Then, other works connected with infections caused by mosquitoes will be taken up.

Municipal Council, Kottayam.

79. **MR. O. M. THOMAS** (*Kottayam*): Will the Government be pleased to state:

(*a*) whether they are aware that confusion and disorder frequently mar the proceedings of the Kottayam Municipal Council;

(*b*) whether they are aware that some members of the Council have "walked out" of the Council in a body as a protest against the conduct of the President of the Council;

(*c*) whether the Government have called for any explanation for these phenomena from the President of the Kottayam Municipal Council; and

(*d*) if not, whether there is any particular reason for their not doing so?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) The Government are not aware.

(*b*) The President reports that no such thing occurred in the year 1105, 1106 or 1107.

(*c*) and (*d*) in view of the answers to parts (*a*) and (*b*), these do not arise.

Conversion of the Kottayam-Kumarakam road into a cart road.

80. **MR. O. M. THOMAS** (*Kottayam*): Will the Government be pleased to state:

(*a*) whether they have sanctioned the scheme for making the existing Kottayam—Kumarakam road fit for cart traffic;

(*b*) if so, when the sanction was given;

[Mr. O. M. Thomas.]

(c) whether any Budget allotments were ever made for the execution of the scheme, and, if so, when;

(d) whether the work was commenced in pursuance of the Budget allotment; and

(e) if not, the reason for not commencing the work?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (a) The answer is in the negative.

(b) This does not arise, in view of the answer to part (a).

(c) A provision of Rs. 85,000 was made in Part II of the Budget for 1106 but this was surrendered owing to financial stringency.

(d) No.

(e) The estimate for the work has not been sanctioned nor administrative sanction accorded. The matter is pending consideration by the Road Board.

MR. O. M. THOMAS (*Kottayam*): With reference to the answer to part (c) of the question, may I know whether the provision of Rs. 85,000 was made without according sanction to this scheme?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It is a misprint for Rs. 5,000.

MR. O. M. THOMAS (*Kottayam*); So, misprints are very common. Am I to understand that Rs. 5,000 is the correct figure?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

MR. O. M. THOMAS (*Kottayam*): Was that sum allotted in the Budget without sanctioning the scheme?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Answer to part (c) gives the information.

MR. O. M. THOMAS (*Kottayam*): So, when the provision was made, the matter was pending before Government?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The estimate was not sanctioned nor administrative sanction accorded. It is only after these that the work will be taken up.

MR. O. M. THOMAS (*Kottayam*): So, provision was made in anticipation of sanction. Am I to understand like that?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

Selection of Assistant Examiners for public examinations of the State.

81. **MR. A. NARAYANA PILLAI** (*Vaikam*): Will the Government be pleased to state.

(a) the principle which they follow in the selection of Assistant Examiners for the public examinations of the State; and

(b) whether it is a fact that the claims of many of the seniors are overlooked in the selection?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The following general principles are followed in the selection of Assistant Examiners.—

(i) Ordinarily no person should be an Assistant Examiner for less than two or more than three consecutive years, and ordinarily an Assistant Examiner should be kept on for 3 years in one subject unless his work has been declared to have been unsatisfactory. This practice is intended to ensure continuity of policy and experience in examining.

(ii) Teachers of longer experience should, other things being equal, be preferred to teachers of shorter experience and generally graduates should be preferred to undergraduates.

(iii) The selection of Assistant Examiners should, as far as possible, be from among persons with whom it would be possible for the Chief Examiners to be in close touch for the first few days after the work of valuation of answers is taken up.

(*b*) The selection of Examiners is not made on the basis of length of service alone. Length of service is only one of the several considerations, such as qualifications, knowledge of standards, efficiency, etc.

MR. A. NARAYANA PILLAI (*Vaikam*) : സാധാരണയായി ഗ്രാഡ്വെറ്റ് ടീച്ചേർസിൻെറ അടുക്കൽ നിന്നും അസിസ്റ്റൻറ് എക്സാമിനർഷിപ്പിനു അപേക്ഷ വാങ്ങിക്കാറുണ്ടോ?

MR. K. GEORGE. (*Chief Secretary to Government*) : അപേക്ഷ അയക്കാറുണ്ടെന്നറിയാം.

MR. A. NARAYANA PILLAI (*Vaikam*) : അപേക്ഷ ആവശ്യപ്പെട്ടു വാങ്ങിക്കാറുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*) : അതു നിശ്ചയമില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*) : അപേക്ഷകൾ സ്വീകരിക്കുന്നതു ഇഷ്ടം പോലെ അപേക്ഷിക്കുന്നവരിൽ നിന്നോ അതല്ല ആവശ്യപ്പെട്ടു വാങ്ങിക്കുന്നവരിൽ നിന്നോ?

MR. K. GEORGE (*Chief Secretary to Government*) : അപേക്ഷ ആരയച്ചാലും ആഫീസിൽ സ്വീകരിക്കും. അതിൽ എക്സാമിനർഷിപ്പു ആർക്കെല്ലാം കൊടുക്കാമെന്നു ഡയറക്ടർക്കു തോന്നുന്നുവോ അവർക്കാണു കൊടുക്കുന്നതു്?

MR. A. NARAYANA PILLAI (*Vaikam*) : മൂന്നു വർഷത്തിൽ കൂടുതൽ എക്സാമിനേർസായി ആരേയും തന്നെ നിയമിച്ചിട്ടില്ല എന്നാണോ ഈ മറുപടിയിൽ നിന്നും മനസ്സിലാക്കേണ്ടതു്?

MR. K. GEORGE (*Chief Secretary to Government*) : എന്നല്ല. സാധാരണയായി അങ്ങിനെ എന്നേയുള്ളൂ. ചില പ്രത്യേകകാരണങ്ങളാൽ മൂന്നു വർഷത്തിൽ കൂടുതൽ ഒരാൾക്കു തന്നെ കൊടുത്തു എന്നും വന്നേക്കാം.

Seasonal remissions granted in 1106.

82. **MR. K. MADHAVAN PILLAI** (*Trivandrum cum Neduvangad*) : Will the Government be pleased to state the total amount under seasonal remissions granted in the year 1106?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : The total amount remitted under seasonal remissions in 1106 was Rs. 7,051.

Widening of the Muzhikkal-Paruvala canal.

83. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state :

(*a*) whether they have investigated the question of widening the Muzhikkal-Paruvala canal ; and

(*b*) if the answer to part (*a*) is in the affirmative, the steps proposed to be taken by the Government regarding the matter.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : (*a*) The matter is under investigation.

(*b*) This does not arise, in view of the answer to part (*a*).

Qualifications for Pakuthi Accountants.

84. **MR. P. S. MAHOMED** (*Nominated*) : Will the Government be pleased to state :

(*a*) the qualifications prescribed for the candidates who seek appointments as Accountants in the Land Revenue Department ; and

(*b*) how the candidates can acquire the qualifications prescribed without entering the Department?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : (*a*) Besides the minimum general examination qualification prescribed under the Public Service Notification for entertainment in public service, a candidate seeking appointment as Accountant in the Land Revenue Department should have passed the Travancore Survey Test and Village Officers' Test.

(*b*) The Travancore Survey and Village Officers'. Tests are open to private candidates and as such there is no bar to anyone acquiring the above qualifications.

Chakkuvalli-Kulasekharapuram road.

85. **MR. S. KRISHNA PILLAI** (*Karunagapalli*): Will the Government be pleased to state :

(*a*) the date on which the work of constructing the Chakkuvalli-Kulasekharapuram road was sanctioned ;

(*b*) the date on which the work was commenced ;

(*c*) the amount spent annually for the work till date (14-4-1107) ;

(*d*) the cause of the delay in completing the work ;
(*e*) why no work is being done this year (1107) ; and
(*f*) when they propose to complete the work ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) :
(*a*) 26th January, 1929.
(*b*) In Medam 1105.
(*c*) 1105—Rs. 2,824.
1106—Rs. 5,041.

(*d*) The work was intended to be completed this year (1107), but the provision made for it had to be surrendered owing to financial stringency.

(*e*) For want of provision in the Budget.

(*f*) The work will be completed as soon as the balance funds are available.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the member be pleased to state whether any other amount was allotted for construction of roads and bridges in the Karunagapalli Taluk ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : I claim notice.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : May I know whether any other work has been sanctioned for the Karunagapalli Taluk this year ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : No.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : What was the amount that was sanctioned, for the completion of this work, for 1107 ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Rs. 25,000.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Was the whole amount surrendered ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is the member aware of the fact that land acquisition has not yet been completed in regard to a portion of the road ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Were the funds allotted for 1106 allowed to lapse on account of financial stringency ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : I am not aware.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is there any correspondence going on between the Division Peishkar and the Executive Engineer in regard to acquisition of the land necessary for the completion of the road ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : What is the cause of the delay in completing even that part of the work ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The declaration and valuation statements have been called for.

MR. S. KRISHNA PILLAI (*Karunagapalli*): How long is it since they have been called for?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): They were called for in August 1931.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Have all the statements been submitted?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Am I to understand that no work has yet been commenced on the lines called for?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): A statement has been called for.

Acting hands appointed in the office of the Curator for the Publication of Oriental Manuscripts.

86. **MR. RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state:

(*a*) the names of all persons who have acted when Pandits in the office of the Curator for the Publication of Malayalam and Sanskrit Manuscripts took leave during the past three years with the duration of the acting period in each case and on each occasion; and

(*b*) who is now (16-9-1931) put in the vacancy caused by the grant of leave to Pandit Mr. Raja Raja Varma?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) A statement* containing the information required is laid on the table.

(*b*) Mr. N. Gopala Pillai, B. A. (Sanskrit), has been appointed to act in the leave vacancy of Mr. Raja Raja Varma Raja, Chief Pandit in the office of the Curator for the Publication of Oriental Manuscripts.

MR. RAMA VARMA RAJA (*Edavagai*): പാർട്ട് ബി. ഈ സ്റ്റേറ്റുമെൻറിൽ കുറെ ആളുകൾ ആക്ട് ചെയ്തതായി കാണുന്നു. ഇതിൽ കൂടുതൽ കാലം ആക്ട് ചെയ്ത ആളുകൾ ഇരിക്കുമ്പോൾ മി. ഗോപാലപിള്ളയെ ആക്റ്റിംഗായി നിയമിക്കാനുള്ള കാരണമെന്തെന്നു പറയാമോ?.

MR. K. GEORGE (*Chief Secretary to Government*): The Curator says that he has superior academic qualifications. He is a Graduate and has also a service of four years in the Government; the others have only less service.

MR. RAMA VARMA RAJA (*Edavagai*): പി. കുഞ്ഞൻപിള്ള എന്നൊരാൾ രണ്ടു കൊല്ലവും ൧൫ ദിവസവും ആക്ട് ചെയ്തിട്ടില്ലേ?

MR. K. GEORGE (*Chief Secretary to Government*): I believe he is still acting.

Construction of the southern bridge at Kayankulam.

87. **MR. A. S. DAMODARAN ASAN** (*Mavelikara cum Karthikapalli*): Will the Government be pleased to state:

---

*Vide Appendix I— cs to 236.

(*a*) when the construction of the southern bridge at Kayankulam was begun;

(*b*) the amount that has already been spent and the items of work carried out till now; and

(*c*) the reason for the delay in finishing the work?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) (*a*) Repairs only with the provision of a new platform for the southern bridge at Kayankulam were begun in Dhanu 1103.

(*b*) The amount already spent on providing the new platform is Rs. 6,687 including materials worth Rs. 4,485 which can be transferred elsewhere.

(*c*) Owing to unforeseen difficulties in screwing down the piles, the original proposals have been given up and the entire reconstruction of the bridge to suit the present day traffic requirements has been decided on and this work has provision in the Budget for 1107 to the extent of Rs. 5,000.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) Answer to part (*c*) says that owing to unforeseen difficulties in screwing down the piles, the original proposals have been given up......May I know what are they?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The first idea was to repair the bridge. After a detailed consideration, it has been decided to reconstruct the bridge.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*). When was that difficulty felt?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): When the repair of the bridge was being attempted.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): At what time please?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government* Part (*a*) says that.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Part (*a*) says that repairs only with the provision of a new platform for the bridge were begun. But I wish to know how that unforeseen difficulty arose and when?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) The exact date is not known.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) It took more than three and a half years to abandon the original proposals and to decide to reconstruct the bridge entirely. May I know why such a long period elapsed?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Many matters had to be investigated. First of all it was considered that the bridge may be reconstructed. Then the Municipal President wrote to say that the bridge was only 10 ft. wide and that a bridge of greater breadth was necessary in view of the traffic there and in the interests of the public. Then the question was again referred back. All these naturally took some time

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): So, am I to understand that the whole investigation has been completed now?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes, with regard to the reconstruction of the bridge.

Newspapers subscribed for by the Government.

88. **MR. E. V. KRISHNA PILLAI** (*Kottarakara cum Kunnattur*): Will the Government be pleased to state:

(*a*) the names of newspapers subscribed for by them;
(*b*) the number of copies of each so subscribed for; and
(*c*) the respective amounts of subscription paid to each?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*), (*b*) and (*c*) A statement* containing the information is laid on the table

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know why there are differences in the number of copies of newspapers subscribed for by Government?

MR. K GEORGE (*Chief Secretary to Government*): From the list you will see that the usual number of copies of political papers subscribed for by Government is three. Then, some papers which are not of a political character are subscribed for and they will be one or two.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): My question is why there is difference in the number of copies of newspapers subscribed for by Government, papers such as the Hindu and the Madras Mail?

MR. K. GEORGE (*Chief Secretary to Government*): They are intended for use by the Dewan, Press Room, Chief Secretary to Government and also the Secretaries to Government.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know whether any principle is involved in the matter of distribution of papers such as the Hindu and the Madras Mail?

MR. K. GEORGE (*Chief Secretary to Government*): I do not understand the member. Will the member quote an instance.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): The Chief Secretary says that six copies of the Hindu are being subscribed for by the Government. He also says that additional copies are required for purposes of distribution among officers. May I know what is the principle involved in the distribution of copies of newspapers?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say about the principle involved. Only important papers are being subscribed for. The distribution is as follows:

One copy for the Dewan, one for the Chief Secretary, one for the Financial Secretary, two for the Press Room and one for the Secretariat Association.

---

* *Vide* Appendix II—pages 237 to 240.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know whether any income is derived to Government from the sale of these papers?

MR. K. GEORGE (*Chief Secretary to Government*): They are all filed.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): I suppose by the various officers who get down these papers?

MR. K. GEORGE (*Chief Secretary to Government*): May be. But I do not know whether they are sold. I believe all the papers go to the Records Office, and are sold from there.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Can the Chief Secretary give me any definite answer?

MR. K. GEORGE (*Chief Secretary to Government*). No.

Particulars re: coir industry.

89. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state:

(*a*) the average price of coir yarn during the years 1103, 1104, 1105 and 1106, separately;

(*b*) the quantity of coir yarn exported from here during each of the above said years;

(*c*) the quantity of coir mats and mattings exported during each of the above said years: and

(*d*) the quantity of coir fibre exported from here during each of the above said years?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The average price of coir yarn during the years under reference ranged as follows:—

1103—from	Rs.	10	to Rs.	19	per cwt.
1104	,,	11	,,	18	,,
1105	,,	11	,,	20	,,
1106	,,	6⅓	,,	14	,,

(*b*) The quantity of coir yarn exported.

1103	...	717,905 cwts.
1104	...	728,592 ,,
1105	...	728,569 ,,
1106	...	589,723 ,,

(*c*) Coir mats exported.

1103	...	256,439 cwts.
1104	...	173,382 ,,
1105	...	176,069 ,,
1106	...	173,390 ,,

Coir mattings exported.

1103	...	3,938,870 yards
1104	...	4,275,873 ,,
1105	...	4,299,637 ,,
1106	...	3,749,358

[Mr, T. K. Madhavan Nayar.]

(*d*) Coir fibre exported.

1103	...	3,207 cwts.
1104	...	3,389 „
1105	...	2,990 „
1106	...	1,608 „

Road from Kottapadi to meet the Perumbavur-Kotamangalam road.

90. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether they have taken any action for opening a road to Kottapadi market from the 8th mile of the Perumbavur-Kotamangalam road;

(*b*) the length of the proposed road; and

(*c*) the approximate cost necessary for opening the road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The answer is in the affirmative.

(*b*) 2 miles and 7 furlongs.

(*c*) Rs. 11,250.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) With regard to part (*a*), may I know what action has been taken?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): We had first to ascertain whether the owners of the lands concerned would give their lands free or on nominal compensation, and then further investigation had to be proceeded with.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): What is the result of the investigation that has already taken place?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The report was sent to the Peishkar for investigation through the Land Revenue Commissioner. The report has not yet come.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): When was the report sent?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It was referred back for further information to the Revenue authorities in December 1931.

Jenmi and Kutiyan Regulation Amendment Bill.

91. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) the date on which the Bill, published on the 13th January, 1930, to amend the Jenmi and Kutiyan Regulation of 1071, was appointed to be considered by a Select Committee;

(*b*) the date on which that Committee submitted its report to the Government; and

(*c*) the action taken or proposed to be taken by the Government on the Amendment Bill submitted by the last Select Committee?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*). (*a*) 22nd January, 1930.

(*b*) 4th February, 1931.

(*c*) The report of the Select Committee was presented to the Legislative Council during this session.

Working of the Factories Committee.

92. MR. P. S. MAHOMED (*Nominated*): Will the Government be pleased to state:

(*a*) whether they have received telegrams and petitions from factory owners regarding the working of the Factories Committee constituted by the Government, and, if so, the allegations made in those telegrams and petitions;

(*b*) whether the Committee has done any work; and

(*c*) the reasons for the slackness of the Committee, if it has not done any work till now (12-4-1107)?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Two telegrams were received from the Secretary, Travancore Mill Owners' Association *re* the working of the Factory Industries Enquiry Committee. They contained a prayer to expedite the work of the Committee in view of the necessity for reorganising factory industries to suit changing conditions.

(*b*) The Government have decided that the enquiry may be postponed for the present.

(*c*) In view of the answer to part (*b*), this question does not arise.

MR. P. S. MAHOMED (*Nominated*): പാർട്ടു ബി. പോസ്റ്റ്പോൺ ചെയ്തിരിക്കുന്നതു കാലനിർണ്ണയത്തോടു കൂടിയാണോ കൂടാതെയാണോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): കാലനിർണ്ണയം കൂടാതെയാണു്.

MR. P. S. MAHOMED (*Nominated*): ഫാക്ടറി വ്യവസായക്കാരുടെ നില തൃപ്തികരമാണെന്നു തോന്നിയതുകൊണ്ടാണോ ഇങ്ങനെ പോസ്റ്റ്പോൺ ചെയ്തതു്?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) കമ്മിററി ഇതു വരെയായിട്ടും ജോലിയൊന്നും ചെയ്തുതുടങ്ങിയില്ല.

MR. P. S. MAHOMED (*Nominated*): ആ കമ്മിററി ഇപ്പോഴും പോസ്റ്റ്പോൺ ചെയ്തിരിക്കയാണെന്നു പറഞ്ഞു. അതിനുള്ള കാരണം ഫാക്ടറിവ്യവസായക്കാരുടെ നില തൃപ്തികരമാണെന്നു തോന്നിയതുകൊണ്ടാണോ എന്നാണു് ഞാൻ ചോദിക്കുന്നതു്?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): ബാങ്കിങ്ങ് എൻക്വയറികമ്മിററി, എക്കണോമിക്ക ഡിപ്രെഷൻ മുതൽ

[Mr. T. K. Madhavan Nayar.]

കയറി കമ്മിററി ഈ രണ്ടു കമ്മിററികളും ഈ സംഗതികളെപ്പററി ആലോചിച്ചു അവരുടെ അഭിപ്രായം പറഞ്ഞിട്ടുണ്ടു്. പിന്നീടു കമ്മിററിയുടെ ജോലിനടത്തിപ്പിനു ആവശ്യമുള്ളതു പണമാണു. അതു് എടുക്കാൻ ഇപ്പോൾ കുറച്ചു ബുദ്ധിമുട്ടുണ്ടാകും. ഈ കാരണങ്ങളാലാണു് പോസ്റ്റ്പോൺ ചെയ്തതു്.

MR. P. S. MAHOMED (*Nominated*): വേറെ രണ്ടു കമ്മിററികൾ റിപ്പോർട്ടയച്ചു എന്നു പറഞ്ഞുവല്ലോ. അതു ഫാക്ടറി വ്യവസായക്കാരുടെ അടുത്തു നിന്നും തെളിവെടുത്തു റിപ്പോർട്ടു ചെയ്തിട്ടുള്ളതാണോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*); മററു കാര്യങ്ങളെപ്പററി ആലോചിച്ചപ്പോൾ ഈ കാര്യം കൂടി ആലോചിച്ചു അവരുടെ അഭിപ്രായം പറഞ്ഞു.

MR. P. S. MAHOMED (*Nominated*): ഫാക്ടറി വ്യവസായത്തിന്റെ നിലകളെപ്പററി വേണ്ട വിധം അന്വേഷിച്ചിട്ടുണ്ടോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): ഇല്ല.

Abkari remissions granted in 1106.

93. **MR. K. MADHAVAN PILLAI** (*Trivandrum cum Neduvangad*): Will the Government be pleased to state the total amount remitted in favour of abkari contractors in 1106?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The total amount remitted in 1106 in favour of abkari contractors is Rs. 2,94,576-20 chs. 3 c.

Coercive steps for recovery of land revenue in 1106 in the Tovala taluk

94. **MR. N. A. SUNDARAM PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) the number of demand notices issued in the taluk of Tovala till the end of 1106 for the recovery of land revenue due in the second half of that year and the amount realised thereby; and

(*b*) the number of attachments effected in the taluk of Tovala for the recovery of land revenue due in the second half of 1106 and the amount realised thereby till the end of that year?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) 3,587. The amount realised therefrom as fees is Rs. 442-8 chs.

(*b*) The number of attachments effected is 466, and the amount realised is Rs. 205-14 chs.

MR. N. A. SUNDARAM PILLAI (*Tovala*): May I know from the member whether demand notices were issued and attachments effected after the G. O. ordering revenue authorities not to adopt coercive steps and not to issue demand notices till the end of 1106.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Am I to take the member to ask whether demand notices were issued and attachments effected in violation of the G. O. issued by the Government?

MR. N. A. SUNDARAM PILLAI (*Tovala*): May I know from the member whether these demand notices were issued after the G. O. was issued?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I may tell the member that Government orders are obeyed by subordinate officers and when prohibition order is issued against coercive steps, no such steps are taken.

MR. N. A. SUNDARAM PILLAI (*Tovala*): Then in this case, was it before prohibition?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*); It must have been issued before, or in accordance with the prohibition order.

Control over Life Insurance Companies in Travancore.

95. **MR. S. CHATTANATHA KARAYALAR** (*Pattanapuram* cum *Shencotta*): Will the Government be pleased to state:

(*a*) whether they are aware that a number of companies, known generally as Free Life Insurance Companies, have recently come into existence in Travancore;

(*b*) whether it is a fact that these companies are practically worked by single individuals;

(*c*) whether the Government exercise any control over the business done by such companies; and

(*d*) whether the Government have examined the prospectuses of these companies with a view to find out whether they offer any guarantee as to the safety of the funds collected by them?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The answer is in the affirmative.

(*b*) These companies are registered under the Travancore Companies Regulation, I of 1092, and are worked in accordance with the provisions of their Articles of Association.

(*c*) The control exercised by the Government over these companies is the same as that exercised on all companies and as provided for in the Travancore Companies Regulation, I of 1092.

(*d*) No.

Expenditure on the Manual Training Section of the Education Department.

96. **MR. A. NARAYANA PILLAI** (*Vaikam*): Will the Government be pleased to state the amount spent annually for the Manual Training Section of the Education Department?

MR. K. GEORGE (*Chief Secretary to Government*): The amount spent under Manual Training (exclusive of the salary and the allowance to the Manual Training teachers) for the three years from 1104 is as follows:—

Rs. 4,957-20-11 in 1104,
Rs. 10,199-11-4 in 1105.
Rs. 10,494-25-6 in 1106,

MR. A. NARAYANA PILLAI (*Vaikam*): എല്ലാ സ്കൂളുകളിലും ഈ സിസ്റ്റം നടപ്പിൽ വരുത്തിയിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): നിശ്ചയമില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): പ്രൈമറി സ്കൂളുകളിൽ മാനുവൽട്രെയിനിങ്ങിനു അദ്ധ്യാപകന്മാരെ നിയമിച്ചിട്ടുള്ളതായി എന്തെങ്കിലും രേഖകളുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): നിശ്ചയമില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): ഇതിനു ഒരു ഐകരൂപ്യം വരുത്തിയില്ലെങ്കിൽ ഈ സിസ്റ്റം കൊണ്ടു വല്ല പ്രയോജനവുമുണ്ടാകുമെന്നു വിചാരിക്കുന്നുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): പണമുണ്ടാകുമ്പോൾ അതെല്ലാം ചെയ്യാം, ഇപ്പോൾ നിവൃത്തിയില്ല.

Petitions from Abkari contractors re loss of profits.

97. **MR. K. P. MADHAVAN PILLAI** (*Shertallai*): Will the Government be pleased to state:

(*a*) whether they have received petitions from the Abkari contractors of the State complaining of serious loss of profits arising from the present economic depression and praying for some concessions in the payment of kists, etc; and

(*b*) if the answer to part (*a*) is in the affirmative, the action taken by the Government on them?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) Remission of kist to the extent found necessary was granted in 1106.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): May I know whether Government are considering the question of remission for this year?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Of course, when the time comes for that, Government will do so.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): When is the time for it?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): In the latter part of the year.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): In view of the fact that depression exists even at the present day, do not the Government think that remission is necessary?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It was considered when the time came, and action was taken accordingly.

Transfer of cases from the Chengannur Munsiff's Court to the Adur Munsiff's Court.

98. **MR. K. KRISHNAN NAYAR** (*Pattanamthitta*): Will the Government be pleased to state whether they have decided to send a

number of cases from the Chengannur Munsiff's Court to the Munsiff's Court at Adur?

MR. K. GEORGE (*Chief Secretary to Government*) : The matter is under the consideration of the High Court.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): May I know why Government have proposed to send a number of cases from the Chengannur Munsiff's Court to the Munsiff's Court at Adur?

MR. K. GEORGE (*Chief Secretary to Government*): That is the information given by the High Court.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) : What was the necessity for such a proposal?

MR. K. GEORGE (*Chief Secretary to Government*) : That is not tated here. But the High Court are considering the matter.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) : May I know whether Government have received any memorials and representations from the people of Adur?

MR. K. GEORGE (*Chief Secretary to Government*) : I claim notice.

Remetalling the first mile of the Quilon-Alleppey road.

99. **MR. S. KRISHNA PILLAI** (*Karunagapalli*) : Will the Government be pleased to state :

(*a*) the date on which the work of remetalling the first mile of the Quilon-Alleppey road was sanctioned;

(*b*) the date on which the supply of materials was completed;

(*c*) whether the materials are stacked on either side of the road causing inconvenience to the public in general and to vehicular traffic in particular; and

(*d*) whether they propose to complete the work this year (1107), and, if so, within what time?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The estimate was sanctioned by the Chief Engineer on the 27th July, 1931.

(*b*) About a month back.

(*c*) Yes, the materials have to be necessarily stacked on either side of the road naturally causing inconvenience to traffic.

(*d*) Yes, in about three or four weeks' time.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : May I know whether sufficient funds have been allotted in this year's Budget for the completion of this work?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : That is probably a small amount and may have been utilised for some other purposes.

PRESIDENT : It seems to be hypothetical.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Funds have been provided.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : What is the amount?

PRESIDENT : The answer to part (*d*) says that the work would be completed in about three or four weeks' time.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Yes. I want to ascertain why there is so much delay. I understand that there is not sufficient allotment in the Budget. That is the reason for the work being delayed.

May I know whether the work of metalling has to be done during monsoon times under ordinary circumstances?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Then, may I know why this work was not completed during the last monsoon? Is it due to want of funds, or, is it due to slackness on the part of the contractor, or due to slackness on the part of the Executive Engineer in pushing on with the work?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): That information is not available here.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know from the member whether the promise made that the work would be completed in a month's time can be fulfilled in view of the fact that the metalling of the roads cannot duly and possibly be done except during monsoons? I am asking for the information in regard to that expert opinion of the Government.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The information is not available.

PRESIDENT: The statement has been made that it will be completed in three or four weeks. You may take it as correct.

MR. S. KRISHNA PILLAI (*Karunagapalli*); But my information is that it could not be done?

PRESIDENT: This is the information that Government give you.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member hope to get the work properly done within a months' time?

PRESIDENT: The answer is there.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I take it that the metalling work cannot be done when there is no rain?

PRESIDENT: You may take it so if you like.

Road from the Quilon T. B. to the Kochupilamood Bridge.

100. **MR. S. KRISHNA PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) whether they are aware that the road between the Quilon Travellers' Bungalow and Kochupilamood bridge is unfit for the heavy traffic which it has to bear;

(*b*) whether any funds have been sanctioned for carrying out the work of repairing the road this year (1107); and

(*c*) whether they propose to complete the work this year?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) There is heavy traffic on the road and the Government are aware that the road requires special repairs.

(*b*) No.

(*c*) It is not possible to take up the work this year for want of funds.

Regravelling the Chavara-Sastankotta road.

101. **MR. S. KRISHNA PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) whether they are aware that the Chavara-Sastankotta road is extremely unfit for cart traffic;

(*b*) whether representations have been received from the public and reports from the Executive Engineer regarding the necessity of regravelling the road;

(*c*) whether any, and, if so, what amounts have been invested for the annual maintenance of the road since its completion; and

(*d*) whether the Government are satisfied that the work of re-metalling the road should at once be taken up?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) No

(*b*) Yes.

(*c*)	1104	—	Rs. 1,163.
	1105	—	Rs. 1,262.
	1106	—	Rs. 1,451.

(*d*) The Government are aware that regravelling is desirable, but it must lie over until funds become available.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know whether representations have been received from the inhabitants of Chavara and Sasthankotta complaining that the road is unfit for cart traffic?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): With regard to part (*a*) or part (*b*)?

MR. S. KRISHNA PILLAI (*Karunagapalli*): With regard to part (*b*).

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What action have the Government taken on such representations?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): They have been forwarded to the Chief Engineer.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Have the Government received the report submitted by the Executive Engineer in regard to the unsatisfactory condition of this road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The report of the Executive Engineer has not been received by Government.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know from the member how long ago were these representations received and whether in view of this long delay the conduct of the Chief Engineer, in not sending up the report in time, is justifiable?

PRESIDENT: That question involves a lot of assumptions, it is not a single question.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know from the member then, on what information is his answer to part (*a*) based?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It is based on the Chief Engineer's report.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has the Chief Engineer made an inspection of the road personally, or is that information based on that report received from the Executive Engineer?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : It may be both ways.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I am not asking for a "may be". I know, that it may be or that it is possible. I am asking the member on what information the answer is based, and whether this information is given after such inspection and report. I want to know whether any report has been received from the Executive Engineer direct?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : No.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Will the member then kindly ascertain from the Chief Engineer whether this information has been based on any information supplied by any person who has inspected the road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : Yes.

The Jenmi-Kutiyan Bill.

102. **MR. S. KRISHNA PILLAI** (*Karunagapalli*) : Will the Government be pleased to state:

(*a*) the date on which the last Jenmi-Kutiyan Bill was introduced in the Legislative Council by the Government;

(*b*) the date on which the Bill was referred to the Select Committee;

(*c*) the date on which its report was received by the Government;

(*d*) whether the Government propose to place the Bill and the Select Committee's report for discussion by the Legislative Council, and if so, the probable date thereof; and

(*e*) if the answer to part (*d*) is in the affirmative, the cause of the delay, and, if the anwer is in the negative, the reason therefor?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : (*a*) 21st January, 1930

(*b*) 22nd January, 1930.

(*c*) 4th February, 1931.

(*d*) It was placed before the Council during this session.

(*e*) The report of the Select Committee appointed to consider the Bill was received only on the eve of the dissolution of the last (Third) Council. The Bill could not be taken up to the Council in the last Budget session, firstly, for want of time, and secondly, because the Government thought that the members of the present Council might require some time to study the Bill.

Purchase of a radio set for the Observatory.

103. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*) : Will the Government be pleased to state:

(*a*) whether it is a fact that a radio receiving set was got down from Madras for the use of the Government Observatory;

(*b*) whether the mechanism has been fitted up and whether it is in working order;

(*c*) the total cost incurred by the Government for the mechanism; and

(*d*) the name of the company that supplied the mechanism?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes. A Radio set was purchased for the use of the Observatory from Madras.

(*b*) Yes. It has been fitted up in the Observatory and it is working satisfactorily.

(*c*) Bh. Rs. 830-8 as.

(*d*) The materials for the wireless set were purchased from the English Electric Co. and the General Service Co., Madras, and the set was assembled under the supervision of the Professor of Physics, Presidency College, Madras.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With regard to part (*d*), may I know who recommended the purchase of the radio set for the Observatory?

MR. K. GEORGE (*Chief Secretary to Government*) · The Government Astronomer.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Was it from Dr. Waren of the Presidency College that the radio set was purchased?

MR. K. GEORGE (*Chi f Secretary to Government*): The set was not purchased from him; it was assembled by him.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): That answer is given to part (*d*). I want to know whether the set was purchased from him?

MR. K. GEORGE (*Chief Secretary to Government*): It was not purchased from him. It was assembled by him.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Was it purchased from him or not?

MR. K. GEORGE (*Chief Secretary to Government*): When it is said that it was assembled by him, it means that it was not purchased from him. Materials were purchased from a company.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): The set?

MR. K. GEORGE (*Chief Secretary to Government*): The set was assembled by him. He must have sent it on here.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With regard to part (*b*), may I know when it was fitted up?

MR. K. GEORGE (*Chief Secretary to Government*): I have information only about the date of the Government order sanctioning the purchase and not about the date when it was fitted up. It was in 1928 that it was ordered. It must have been after that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Was it fitted up as soon as it was brought here?

MR. K. GEORGE (*Chief Secretary to Government*): I have no information.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) · In regard to part (*d*), why was it necessary to get down Professor Waren from Madras to do this work?

MR. K. GEORGE (*Chief Secretary to Government*): He was not got down. It was done at Madras itself.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know why Government thought it necessary to give it to Professor Waren? Is he dealing in it?

MR. K. GEORGE (*Chief Secretary to Government*): He is said to be a person having considerable amount of experience in these things.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know the relationship of Professor Waren and the Government Astronomer?

MR. K. GEORGE (*Chief Secretary to Government*): I believe they are brothers.

Statement, by caste, of volunteers in the Anchal Department.

104 **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to lay on the table a statement, by caste, of the number of volunteers appointed by the present Anchal Superintendent?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The statement * required by the member is laid on the table.

MR. K. KRISHNAN NAYAR (*Pathanamtitta*): Do the Government follow any principle of communal representation in the matter of appointments as volunteers?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It is not definitely stated anywhere, in regard to volunteers. Government have issued no instructions on that point.

Maniankulam bridge.

105. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Are the Government aware:

(*a*) of the damaged condition of the Maniankulam bridge at Paravur; and

(*b*) that there is heavy traffic on the bridge?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Yes. An estimate for its thorough reconstruction is under preparation. Meanwhile, the bridge has been temporarily repaired and made safe for traffic.

(*b*) The traffic over the bridge cannot be said to be heavy, as the road stops half a mile beyond.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know what amount has been spent for the repair of the bridge at Maniyankulam?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Rs.170.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the Government are aware of the condition of the roads leading to the bridge?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The Chief Engineer has reported that the roads are kept in fair order.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether Government are aware that accidents occur on that road due to the bad condition of the road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Government are not aware.

---

* *Vide* Appendix III—Page 241.

MR. K. KUJUKRISHNA PILLAI (*Quilon*): With regard to part (*b*), may I know whether the Government are aware that there is a factory just on the other side of the bridge, a coir factory?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I amt not aware.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know what made the Government conclude that there was not heavy traffic along the bridge?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The Chief Engineer's report.

Artist in the Botany Section of the Science College.

106. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Governmen be pleased to state:

(*a*) whether it is a fact that there is an artist in the Botany Section of the Science College;

(*b*) whether there is such a post in the Botany Section of the Madras Presidency College: and

(*c*) whether there is such a post in the Botany Department of any college under the Madras University?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The answer is in the negative.

(*b*) and (*c*) The information is not now available.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether there is an officer called Draftsman in the Science College?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, there is one.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the Draftsman is required by other Sections of the Science College?

MR. K. GEORGE (*Chief Secretary to Government*): That Draftsman is maintained for both the Zoology and Botony Sections.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Who recommended the appointment of this Draftsman?

MR. K. GEORGE (*Chief Secretary to Government*): The appointment was created some years ago.

MR. K. KUJUKRISHNA PILLAI (*Quilon*): May I know whether there was a Draftsman when these Sections were started?

MR. K. GEORGE (*Chief Secretary to Government*): All that I see from the Budget is that the appointment was there in 1106. I cannot say more than that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With regard to part (*c*), may I know whether the Government will ascertain whether any other college in the Madras Presidency, affiliated to the Madras University, has got a Draftsman for this department?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

Schools in which spinning is taught.

107. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) the number of schools in which spinning is taught; and

(*b*) the reason why the subject has not been introduced in other schools?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 22 Vernacular Schools, of which 16 are Boys' Schools and 6 Girls' Schools.

(*b*) The question of introducing spinning in more schools will be considered when the present financial situation improves.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know the last date on which spinning was introduced in the last school?

It is answered by the Chief Secretary that Spinning has already been introduced in twenty-two Vernacular Schools, of which sixteen are boys' schools and six girls' schools; and in answer to my question part (*b*), it is also answered that the question of introducing spinning in more schools would be considered when the present financial situation improves. So, I want to know the last date on which spinning was introduced in the last school?

MR. K. GEORGE (*Chief Secretary to Government*): In 1927.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): When did the Government begin to feel financial depression?

MR. K. GEORGE (*Chief Secretary to Government*): From 1106 onwards. There was deficit in 1106, and we expect it in 1107.

MR. E. V. KRISNHA PILLAI (*Kottarakara* cum *Kunnattur*): Then, how many years since 1927? I want to know how many years since the last introduction was made?

MR. K. GEORGE (*Chief Secretary to Government*): Four years or so.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know the reason why no action was taken for four years?

MR. K. GEORGE (*Chief Secretary to Government*): It was thought desirable to watch how the teaching worked in these schools.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Now, are the Government satisfied that the introduction of spinning is satisfactorily working?

MR. K. GEORGE (*Chief Secretary to Government*): Not quite satisfied.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): And so, am I to understand from the answer just given, that even if the financial situation improves, Government would not be in a position to introduce spinning in more schools, since it has been found to work unsatisfactorily?

MR. K. GEORGE (*Chief Secretary to Government*): If we had money we could have made the teaching satisfactory in the existing schools, and introduced it in more schools.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): So am I to understand that the unsatisfactory nature of the teaching of this subject is due to want of funds?

MR. K. GEORGE (*Chief Secretary to Government*): Partly. One of the difficulties noticed is want of accommodation for teaching.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): And so, it was without providing accommodation for these schools that the introduction has already been made in various schools?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): The Chief Secretary has replied that it is partly due to want of accommodation. May I know the reason?

MR. K. GEORGE (*Chief Secretary to Government*): This is all that is stated by the Director. I have no other information.

Extension of the Muttam channel.

108. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether there was a proposal to extend the Muttam channel as far as Muttam village or Eayantenku;

(*b*) if so, whether the alignment is over; and

(*c*) the action taken by the Government thereon?

MR. T. K. MADHAVAN NAYAR (*Ag Secretary to Government*): (*a*) Yes.

(*b*) No.

(*c*) An investigation is being conducted.

Inspection of the Trivandrum Railway Customs Office.

109. **MR. K. P. MADHAVAN PILLAI** (*Chirayinkil*): Will the Government be pleased to state:

(*a*) the nature of the supervision exercised by the Inspector, the Assistant Excise Commissioner and the Excise Commissioner over the Trivandrum Railway Customs Officer and his work; and

(*b*) the number of inspections of the customs office made by each of them during 1106?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The nature of the supervision exercised by the Inspector, Assistant Excise Commissioner and Excise Commissioner over the Trivandrum Railway Customs Officer and his work is more or less the same. It consists in the examination of the records; seeing whether all amounts due to the Government are realised in full and remitted into the treasury and whether the buildings and records are kept neat; and generally insisting on the departmental standing orders and the instructions of superior officers being promptly carried out. Besides this, the

[Mr. T K. Madhavan Nayar.].

Inspecting Officers check-weigh goods already weighed by the Customs Officer for assessment of duty and also compare the railway weight with the customs weight.

(b) The number of inspections conducted in 1106 by the superior officers is noted below :—

Excise Inspector	10
Assistant Excise Commissioner	9
Excise Commissioner	Nil.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): With regard to part (b), may I know whether there was any special reason for the Excise Commissioner not to have inspected the Customs House at least once a year?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No specific reason is given. Probably he had no time and was other-wise engaged; or he considered the inspection, already made by the Assistant Excise Commissioner, sufficient.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): Are the Government aware that there was fall in the revenue of the Excise Department last year?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): And, should not the Excise Commissioner be more vigilant in the discharge of his duties under these circumstances?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): There was a fall in the Excise Revenue and not Customs Revenue.

Preferential treatment of political prisoners.

110. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state whether they have formulated any rules or done anything else with regard to the treatment of political prisoners as distinct from other prisoners, and, if not, whether they propose framing rules therefor as in British India?

MR. K. GEORGE (*Chief Secretary to Government*): Rules 628 A to D were passed in 1924 for dealing with "Special Division Prisoners" in the Central Prison. The discretion of selecting prisoners for inclusion in that Division is vested in the convicting court.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): My question is as to whether Government have formulated any special rules for the treatment of political prisoners. The answer is—"Rule 628 A to D were passed in 1924 for dealing with Special Division prisoners." I wish to know whether this Special Division as originally intended was meant for what are called political prisoners or for all classes of prisoners?

MR. K. GEORGE (*Chief Secretary to Government*): Political prisoners are also included in what are called Special Division prisoners.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): On how many occasions after framing these rules, were these rules given practical effect?

MR. K. GEORGE (*Chief Secretary to Government*): I may say it was done recently in one case. I cannot recollect all the cases.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Recently, I know—

MR. K. GEORGE (*Chief Secretary to Government*): I do not know on how many occasions the rules were made use of.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Now, since the rules are not before me, may I know whether they specify the offences in respect of which discretion may be exercised, or whether the Courts may exercise discretion in all cases of offences?

MR. K. GEORGE (*Chief Secretary to Government*): I have not got the rules with me.

PRESIDENT: He is just in the same position as you.

Provident Fund scheme for Vernacular School Teachers.

111. **MR. JOSEPH KUNJU** (*Changanachery* cum *Peermade*): Will the Government be pleased to state:

(*a*) whether they have or the Director of Public Instruction has received resolutions or petitions from the Teachers' Associations or from the All-Travancore Teachers' Conference for starting a Provident Fund Scheme for the Vernacular School Teachers;

(*b*) if so, the action taken on them; and

(*c*) if no action has been taken, the reason for the same?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) The question of starting a Provident Fund Scheme for the Vernacular School teachers is receiving the attention of the Director of Public Instruction.

(*c*) In view of the answer to part (*b*) above, this question does not arise.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): പാർട്ടി. ഈ സംഗതിയിൽ ഒരു തീരുമാനം ഉണ്ടാകുന്നതിനു എന്തു കാലതാമസം വേണ്ടിവരുമെന്നു പറയുവാൻ ദയവുണ്ടാകുമോ?

MR. K. GEORGE (*Chief Secretary to Government*): പണം വളരെയുള്ളതുകൊണ്ടു ഇതു കുറെ അധികം ആലോചിക്കേണ്ട ഒരു സംഗതിയാണ്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഏകദേശമായിട്ടെങ്കിലും പറയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): ഇപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ല.

Appendix I.

Vide **Answer to Question No. 86**

Statement showing the names of the persons who have acted when Pandits in the Office of the Curator for the Publication of Sanskrit and Malayalam Manuscripts took leave during the years 1104 to 1106, with the period of acting in each case and on each occasion.

Name of person who acted.	Name of the Pandit in whose vacancy or chain of acting arrangements he was put in.	From	To	Period of acting service.			Total.
				Years.	Months.	Days.	
P. Kunjan Pillai.	K. Mahadeva Sastri	1-1-1104	27-1-1104	0	0	27	2 years and 19 days.
	K. S. Mahadeva Sastri	28-1-1104	31-1-1104	0	0	4	
	N. Rama Sastri	28-3-1104	27-4-1104	0	1	0	
	V. Subbarayacharya	15-7-1104	24-8-1104	0	1	10	
	R. Harihara Sastri	25-8-1104	19-10-1104	0	1	25	
	E. Narayana Sastri	20-10-1104	32-10-1104	0	0	13	
	K. S. Mahadeva Sastri	1-11-1104	21-11-1104	0	0	21	
	K. Vedantacharya	3-12-1104	26-12-1104	0	0	24	
	K. Mahadeva Sastri	30-2-1105	7-2-1106	0	11	9	
	Vaidya Pandit	8-2-1106	30-2-1106	0	0	23	
	N. Rama Sastri	1-3-1106	6-3-1106	0	0	6	
	E. Narayana Sastri	7-3-1106	20-4-1106	0	1	14	
	T. S. Visvesvara Sastri	21-4-1106	1-5-1106	0	0	11	
	K. Padmanabha Pillai	3-5-1106	14-6-1106	0	1	12	
	E. Narayana Sastri	15-6-1106	14-8-1106	0	2	0	

Appendix I—(*contd.*)

Name of person who acted.	Name of the Pandit in whose vacancy or chain of acting arrangements he was put in.	From	To	Period of acting service.			Total.
				Yrs.	Months.	Days.	
S. Sankara Sastri.	K. S. Mahadeva Sastri	23-1-1104	27-1-1104	0	0	5	One year and 10 days.
	K. Padmanabha Pillai	28-3 1104	17-4-1104	0	0	20	
	E. Narayana Sastri	18-4-1104	27-4-1104	0	0	10	
	E. V. Raman Namputiri	21-7-1104	3-8-1104	0	0	13	
	R. Harihara Sastri	15-8-1104	24 8-1104	0	0	10	
	G. Harihara Sastri	29-8-1104	19-10-1104	0	1	21	
	K. S. Mahadeva Sastri	22-10-1104	32-10-1104	0	0	11	
	K. N. Govinda Pillai	17-11-1104	20-11-1104	0	0	4	
	V. Subbarayacharya	4-6-1105	12-8-1105	0	0	9	
	N. Rama Sastri	13-7-1105	2-8-1105	0	0	20	
	K. Padmanabha Pillai	1-9-1105	24-9-1105	0	0	24	
	G. Harihara Sastri	14-10-1105	22-10-1105	0	0	9	
	T. S. Visvesvara Sastri	16-11-1105	7-12-1105	0	0	23	
	K. Mahadeva Sastri	13-12-1105	12-1-1106	0	1	0	
	N. Rama Sastri	24-2-1106	30 2-1106	0	0	7	
	V. Subbarayacharya	10-4-1106	28-4-1106	0	0	19	
	N. Rama Sastri	10-8-1106	9-10-1106	0	2	0	
	K Mahadeva Sastri	26-10-1106	8-12-1106	0	1	15	
R. Ramakrishna Sastri.	E. Narayana Sastri	25-4-1105	6-5-1105	0	0	12	3 months and 9 days.
	K. Padmanabha Pillai	25-8-1105	30-8-1105	0	0	6	
	G. Harihara Sastri	8-10-1105	13-10-1105	0	0	6	
	T. S. Visvesvara Sastri	2-4-1106	10-4 1106	0	0	9	
	K. Vedantacharya	22-8-1106	21-9-1106	0	1	0	

Appendix I—(concld.)

Name of person who acted.	Name of Pandit in whose vacancy or chain of acting arrangements he was put in.	From	To	Period of Acting sevice. Yrs.	Months.	Days.	Total.
	K. Padmanabha Pillai	22-9-1106	15-10-1106	0	0	24	
	A. Paramesvara Sastri	28-10-1106	8-11-1106	0	0	12	
N. Raman Unni Sastri	E. V. Raman Namputiri	20-5-1104	29-5-1104	0	0	10	10 months and 24 days.
	V. Raja Raja Varma Raja	15-7-1104	30-7-1104	0	0	16	
	E. V. Raman Namputiri	5-8-1104	20-11-1104	0	3	16	
	K. N. Govinda Pillai	21-11-1104	24-12-1104	0	1	4	
	V. Raja Raja Varma Raja	25-12-1104	18-3-1105	0	2	24	
	E. V. Raman Namputiri	15-10-1105	12-11-1105	0	0	29	
	K. N. Govinda Pillai	20-12-1105	19-1-1106	0	1	0	
	K. N. Govinda Pillai	22-11-1106	4-12-1106	0	0	15	
R. Sankara Aiyar	V. Raja Raja Varma Raja	6-11-1104	4-12-1104	0	1	19	10 months and 26 days
	V. Raja Raja Varma Raja	29-7-1105	5-5-1106	0	9	7	
L. Bhavani	T. S. Visvesvara Sastri	11-4-1106	20-4-1106	0	0	10	
N. Gopala Pillai, B. A.	V. Raja Raja Varma Raja	1-10-1106	31-12-1106	0	3	0	
L. Kamalakshi Amma	E. V. Raman Namputiri	22-10-1106	2-11-1106	0	0	13	

Appendix II.

Vide Answer to Question No. 88.

List of newspapers subscribed for by the Government.

No.	Name of newspaper.	Place of publication.	No. of copies ordered.	Annual subscription per copy.
1	Malabar Advocate ...	Trivandrum	3	B. Rs. 5
2	Western Star ...	Do.	do.	do. 12
3	Link ...	Do.	do.	do. 12
4	Bhaje Bharatam ...	Chengannur	do.	do. 6
5	Malayalam Daily News ...	Kottayam	do.	do. 12
6	Nasrani Deepika ...	Mannanam	do.	do. 8
7	Nava Bharati ...	Tiruvalla	do.	do. 6
8	Rajyabhimani ...	Kayankulam	do.	do. 4
9	Malayala Patrika ...	Muvattupuzha	do.	do. 5
10	Sreemati ...	Trivandrum	do.	do. 4
11	Malayala Rajyam ...	Quilon	do.	do. 15
12	Kerala Kesari ...	Kottayam	do.	do. 6
13	Nava Sakti ...	Trivandrum	do.	do. 4
14	Dakshina Bharati ...	Eraniel	do.	do. 5
15	Kerala Kaumudi ...	Paravur	do.	do. 5
16	Malayala Manorama ...	Kottayam	do.	do. 13
17	Kottayam Patrika ...	Do.	do.	do. 6
18	Samadarsi ...	Trivandrum	do.	do. 6
19	Trivandrum Daily News ...	Do.	5	do. 22
20	Malayali ...	Quilon	3	do. 9

Appendix II—(*contd.*)

No.	Name of newspaper.	Place of publication.	No. of copies ordered.	Annual subscription per copy.
21	Travancore Times ...	Nagercoil	3	B. Rs. 7
22	Service ...	Trivandrum	do.	do. 9
23	Dharma Dheeran ...	Kottayam	do.	do. 2
24	Travancore Law Journal ...	Trivandrum	do.	do. 10
25	Travancore Law Times ...	Do.	1	do. 10
26	Mahila ...	Chengannur	1	do. 3
27	Co-operative Journal ...	Trivandrum	1	do. 2
28	Asiatic Review ...	London	4	£. 1
29	Educational Supplement to the London Times.	Do.	1	17 sh. 4 d.
30	Literary Supplement ...	Do.	1	do.
31	Journal of the Society of Comparative Legislation ...	Do.	2	£. 1 1 sh.
32	Reporter's Journal ...	Do.	1	7 sh.
33	Reporter's Magazine ...	Do.	1	do.
34	Hindu ...	Madras	6	Bh. Rs. 28/8
35	Hindustan Times ...	Delhi	1	do. 22/8
36	Justice ...	Madras	2	do. 40/8
37	Madras Mail ...	Do.	4	do. 35
38	Pioneer ...	Allahabad	2	do. 30
39	Statesman ...	Calcutta	do.	do.
40	Times of India ...	Bombay	5	do.
41	London Times (Daily) ...	London	1	£. 5 4 sh.
42	Evening News of India ...	Bombay	2	Bh. Rs. 36

Appendix II—(*contd.*)

No.	Name of newspaper.	Place of publication.	No. of copies ordered.	Annual subscription per copy.
43	Federated India ...	Madras	2	Bh. Rs. 5
44	Gazette of India ...	Calcutta	1	do. 48
45	Fort St. George Gazette ...	Madras	2	do. 42
46	Cochin Argus ...	Cochin	2	do. 12/13
47	Feudatory and Zamindary India ...	Madras	3	do. 20
48	Indian Review ...	Madras	1	do. 5
49	Indian Trade Journal ...	Calcutta	1	do. 13
50	Malabar Herald ...	Cochin	2	do. 4/13
51	Mysore Blue Book and Publicity Journal ...	Bangalore	2	do. 3
52	Madras Weekly Notes ...	Madras	1	do. 10
53	Princely India ...	Delhi	2	do. 12
54	Times of India Illustrated Weekly ...	Bombay	1	do. 22
55	United India and Indian States ...	Delhi	3	do. 12
56	Capital ...	Calcutta	2	do. 54
57	Indian States Journal ...	...	1	do. 12
58	Ceylon Malayali ...	Colombo	1	do. 6
59	Swarajya ...	Madras	2	do. 22
60	Tit Bits ...	London	1	Sh. 13
61	Illustrated London News ...	Do.	1	£ 3-11-4
62	Health ...	Madras	1	Bh. Re. 1
63	Swadesa Mitran ...	Do.	1	Bh. Rs. 19/8
64	Guardian ...	Shencotta	3	do. 4/8
65	Sudarsanam ...	Trivandrum	3	do. 6

Appendix II.—(*concld.*)

No.	Name of newspaper.	Place of publication.	No. of copies ordered.	Annual subscription per copy.
66	Rasikan ...	Trivandrum	2	Bh. Re. 1
67	Popular Herald ...	Do.	3	Bh. Rs. 5
68	Indian Affairs ...	London	2	£ 1
69	Hindu Illustrated Weekly ...	Madras	1	Bh. Rs. 12
70	Empire Survey Review ...	...	6	12 Sh.
71	Tozhilali ...	Alleppey	1	Bh. Rs. 3/8
72	Political Quarterly ...	London	1	do. 9/10
73	Indian Daily Mail ...	Bombay	3	do. 20
74	Vivekodayam ...	Trivandrum	3	do. 2
75	Muslim Mitram ...	Do.	3	do. 3
76	Kerala Sevakan ...	Do.	3	do. 6
77	Indian States and Zamindaries ...	Hyderabad	3	do. 12
78	Trivandrum Express ...	Trivandrum	2	1 anna per copy.
79	Local Self Government Quarterly ...	Madras	1	Bh. Rs. 10

Appendix III

Vide Answer to Question No. 104

Statement, by caste, of volunteers in the Anchal Department appointed by the Present Anchal Superintendent.

Hindus		
Brahmins (Malayala)	...	Nil
„ (Others)	...	2
Ezhavas	...	5
Kammalas	...	1
Kshatriyas (Malayala)	...	Nil
Nadars	...	Nil
Nayars	...	6
Pulayas	...	Nil
Vellalas	...	1
Other deperessed classes	...	2
Other Hindus	...	Nil
Mussalmans	...	1
Christians		
Protestants	...	3
Roman Catholics (Latin rite)	...	Nil
(Syriac rite)	...	3
Syrians" (Jacobite)	...	16
" (Mar Thoma)	...	14
Others	...	Nil

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC IMPORTANCE.

PRESIDENT : The House will now pass on to the discussion of resolutions.

RESOLUTION RE SUPPLY OF DRINKING WATER TO THE COASTAL PAKUTHIES OF ONATTUKARA.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Sir, I beg to move the following Resolution :—

"This Council recommends to the Government that steps be taken to supply drinking water to the inhabitants of the coastal pakuthies of Onattukara."

Sir, what I wish to impress upon Government and this Council, is the absolute necessity of supplying drinking water to the localities in which drinking water is now not available. The Pakuthies which I have mentioned in this resolution consist of the whole of the Arattupuzha Pakuthi, the southern half of the Thrikkunnapuzha Pakuthi and parts of Putupalli, Karunagapalli and Kulasekharapuram Pakuthies.

Sir, these tracts lie on the western side of the lake—salt water-lake—and on the eastern side of the Arabian sea. The people who inhabit these lands are not in very affluent circumstances and they live by the industry of fishing and coir manufacture. They have usually to get good water from the eastern side of the lake; and they have to go

[Mr. A. S. Damodaran Asan]

about one and a half or two miles in boats to get this water. The population of this area, I think, is not less than 20,000. And it is highly necessary that Government should pay attention to the supply of good drinking water which is absolutely essential for the sustenance of their lives.

MR. A. THANU PILLAI (*Trivandrum*): May I know the extent of this area, length and breadth?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The length will come to about 10 to 12 miles and the breadth on an average about half a mile.

MR. J. S. WESTERDALE (*Chief Engineer*): Has the member any idea of the cost of this scheme?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*). I do not know which scheme should be adopted by Government. In certain places they can sink wells sufficiently deep which will provide good water; and I learn that in certain other places it will be necessary to supply drinking water from some tank in Pannana or Chavara by means of pipes. It seems that the people of the locality enquired of Messrs. Braithwaite & Company's agents, when they were working at the Neendakara bridge. They were told that it would cost about Rs. 30,000. As far as Thrikunnapuzha and Arattupuzha are concerned, I think, by sinking a number of wells the demand could be met.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is it lack of water or lack of drinking water?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): There is no good drinking water at all.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): No water?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): There is salt water.

MR. J. S. WESTERDALE (*Chief Engineer*): If wells are sunk, the well-water also would be brackish?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): When Mr. Vipan, the former Chief Engineer, was in office, he visited some of these places and stated that if wells were dug sufficiently deep there was chance of getting good water. I am not going to say whether the pipe-system or well-system would be more advantageous to the people and to Government.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): What is the length of the lake which they have to cross for getting good water?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The breadth of the lake will be narrow.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Average?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I think the average would be about one or one-and-a-half miles, and in certain other places, six or seven furlongs. One can imagine what the difficulties of these poor people will be, during the rainy and stormy season to get drinking water, when they have to cross the lake at the risk of their lives.

Sir, it is absolutely necessary that some provision should be made or this purpose. Of course, suggestions are made for the sinking of certain wells in the Thrikunnapuzha and Arrattupuzha Pakuthies. But the progress in that direction has been very slow. We find that some provision has been made in the budget for sinking wells in non-municipal areas. But I do not know how much of that amount is to be spent. With regard to certain wells that were proposed to be sunk in Thrikunnapuzha and other Pakuthies, I know that even the land acquisition proceedings take one or two years, and I do not know whether they are yet completed.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I believe the member means this scheme as a reproductive work.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): No; drinking water should be supplied free of cost.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): As a means which will bring revenue to Government?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): No, no. The people there are poor. They do not get enough return for the tax they pay now. I may say, that in that land, there is not even an inch of road or any amenities enjoyed by the people of other places. It is surrounded by water. They have not got even an inch of road they want some roads. When even such small convenience is not available for them, it will be hard to impose cess for drinking water.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): They have got sfficient number of canoes which is perhaps more useful in that locality.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): People who can afford may have canoes. Those who cannot afford may have to hire canoes.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): By that way their wants are satisfied I suppose?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): No, their wants are not sufficiently satisfied. That is my complaint now.

Sir, I have included these two places because I personally know that there is real want in these places. With regard to Arattupuzha and Trikunnapuzha they are in the Kartikapalli taluk. In regard to other places my attention has been drawn at certain public meetings held in Putupalli for this purpose.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is my friend aware that wells on the sea coast at Alleppey have very good drinking water?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not know; I am not a geologist.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is he aware of the fact that wells are generally brackish if sunk in sea coasts?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes. It is. And I have submitted many instances to Government.

MR. A. THANU PILLAI (*Trivandrum*): Then, how do the people manage now?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That is what I said. They cross the lake in canoes and take water from the eastern side of the lake and somehow or other manage with that supply.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Does my friend suggest as an experimental measure that some deep wells may be sunk?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That is, it appears, what Mr. Vaipan suggested. He suggested that if deep wells are sunk water will come from sufficiently low strata of earth and will be pure.

MR. A. THANU PILLAI (*Trivandrum*): Have such wells been tried, at least one?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not think any such well has been sunk. Some proceedings were taken. I do not know whether the process has been completed.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): If the attempt is successful I suppose the maintenance may be left to the Sanitary Department as in other places?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): There is no objection.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): May I know who made the attempt?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I have already said that the people are not in very affluent circumstances. With regard to the northern half of the Thrikunnapuzha Pakuthi, I think there is not much difficulty. So, I place this resolution for the consideration of the House.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, I rise to second the resolution of Mr. Damodaran Asan. I do hope, when seconding this resolution, that Mr. Asan will admit that there are other pakuthies also which are in need of drinking water and that they may also be supplied with drinking water.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Surely, most gladly.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): There are tracts which are not exactly coastal, but a bit in the interior of the Quilon taluk, known as Perumpuzha, a place sufficiently in the interior where you cannot get good drinking water. The people there, are also clamouring for wells. In the hope that the resolution will not be restricted to Onattukara, I will make a personal request to Mr. Asan to make it sufficiently wide for these people also, whom I represent, to get good drinking water.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Does the member mean that no water is availabe in the mainland?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Such absurd propositions will never be represented. For, how can people live if no water is available?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will they not get water if wells are dug?

MR K. KUNJUKRISHNA PILLAI (*Quilon*): Very deep wells have to be dug, and ordinarily people cannot afford to do that, since such deep wells will cost heavily.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): I suppose if the wells are dug sufficiently deep the water obtained would be good drinking water?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Yes. I do not know whether Neendakara will come under the limit proposed by the mover of the resolution. But, there also there is real want of good drinking water. I too have received copies of the memorials sent up by the people of this locality. The memorials are very moderatedly worded and contain practical suggestions; and the real wants of the places have been set forth in the memorials by persons who know something about such sanitary works. I do hope that the Government will pay prompt attention to this absolute necessity of the people.

Some of my friends have been asking me how, if there was no water in the locality, the people lived there. Very often they live by drinking bad water. And, in the memorials I have referred to they have shown by statistics that, on account of the want of good drinking water, the health of the people has been very badly affected and that the age of mortality in the localities has become very low in recent years. Years ago, there was not so much difficulty, in these localities, for good drinking water. To some extent, good water was available there. But, in recent years, by some change in the course of the current of water in the lake, or by some action of sea water, some erosive action—I do not exactly know what it is—it has become very difficult to get pure water there. Once upon a time, the people *were* getting good drinking water in these localities, and they were very flourishing. Now, they get only brackish water due to some change wrought by nature. I want to give all my support to this resolution; and I hope the Government will do everything possible for supplying this human necessity to a large section of the people of this country.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Sir, I also support the motion. In doing so, I wish to bring to the notice of this House, certain very important facts connected with the matter contained in the resolution. It is several years since representations were being sent up to the Government by the people inhabiting the coastal regions in Onattukara. Government, as is usual with them in such matters, took very prompt steps in responding to the representations made by

[Mr. S. Krishna Pillai]

the public. The Chief Engineer, the Land Revenue Commissioner, the Dewan Peishkar, the Tahsildar, every one of these Government officers was very vigilent, very keen on the matter; and they visited the place at once. They visited the place not once but half-a-dozen times; and I believe they must have drawn all the T. A. allotted for them. They were also very vigilent in sending up their reports. But, as is usual with Government in regard to such reports, these reports, I understand, have been shelved. I sent up an interpellation in regard to this matter; and I am told that that did not reach the Government in time or that there was some other defect in it, so that, from the half-a-dozen sheets of paper sent to me this time I found that this question of mine did not find a place in the notices of questions of this session of the Council. In spite of the reports submitted to Government by their own officers, the Government have not chosen to think seriously of doing anything on the lines suggested in the reports. Sir, because some of the officers of Government have satisfied themselves that it is a real need so far as the people of the localities are concerned, because they have drawn all the T. A. they were entitled to, and because they have sent up to the Government their reports on the matter, the people of the locality are not going to get a drop of good drinking water. Something more tangible must be done for them; and that can be done only if the Government have a more sympathetic heart for the people. As my friend has suggested, the people inhabiting the localities are very poor. But, though poor, I believe they also contribute their quota to the taxes realised by Government. Some of them are land-owners: the rest are sea-going people. So, whether as land-owners or as fisher-folk, they pay some amount of money to the State coffers. It does not appear why the Government have not till now done anything more than getting reports on the matter. The Chief Engineer suggested that deep wells might be sunk. Government could have at least tried a single experiment in that direction in one or other of these places.

MR. A. THANU PILLAI (*Trivandrum*): Has the boring machine been applied in this part of the country?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I am told that it lies in the Workshops and Stores Division and does not work properly now.

Sir, this is not a matter which can be calmly thought over and conveniently taken up. It is a very serious matter. Sir, all of us are human beings, and we know that good drinking water is indispensable for the subsistence of every human being.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) Roughly, what will be the cost of sinking a well in these localities?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I myself want to ask that question to the Chief Engineer when he stands up to speak on this resolution.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : I just want to have a rough idea of it.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : My own impression is that the cost will depend upon the depth which the Chief Engineer says these wells must have in order that the water may be good. I am not myself certain about that. My own impression is that not more than Rs. 300 would be required for each well.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Is that all?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : That is all, unless the Chief Engineer says that boring has to be done to the very centre of the earth as it were.

Sir, a single experiment could have been tried in any one of these localities.

About seven or eight years ago, the people living in these localities used to get good drinking water from the wells that they had themselves sunk there in their gardens. Of course, these wells are not very deep. As Mr. Kunjukrishna Pillai suggested, owing to some action of sea-water, some gulf-stream or some under current, owing to the washing off of the mud-bank near the sea, the water in their wells, which used to be good in former days, has now become unfit for drinking purposes. About a couple of miles to the west of Puthupalli, Karunagapalli and other places, there was a mudbank which separated these parts from the sea. It seems that, since this mud-bank has been washed away, there is now an on-rush of sea-water into the land with the result that the water in these wells, which was once good for drinking purposes, has now become brackish. That is the theory put forth by the people living in the locality. It appears to be somewhat reasonable also ; because, the mud-bank, which we used to see there once upon a time has now disappeared.

Now, Sir, whatever be the cause, the fact remains that the people of the place do not now get good drinking water there.

MR. A. THANU PILLAI (*Trivandrum*): Was good drinking water really available there ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Yes; and that was the reason why people lived there. After having gone there, settled themselves there, after having made all their investments there, they now find it extremely difficult to pull on there owing to the want of good drinking water. The males go away to the west early in the morning for catching fish. The females have to go to the east for fetching good drinking water. The children are left alone in the huts till either of these come back hours hence. My friend Mr. Asan stated that they were bringing good water from the eastern side of the lake. That is not quite correct. After going to the eastern side of the lake they have to go about a mile and a half in the interior where alone there are wells with good water. And even there, there are caste disabilities. These poor people are Árayas and therefore are not permitted to draw water from the private wells there which belong to high-caste Hindus.

[Mr. S. Krishna Pillai.]

That is another difficulty. Therefore, the females have to take their pots, cross the lake, walk about a mile and a half into the interior after crossing the lake, wait there till they are served by the owners of the wells and then return home to look after their hungry children. Probably, if they leave their homes early enough they would be able to return by about 11 A. M., with good water, in about a couple of pots, which they have to conserve till the next day.

Sir, I may be able to give more harrowing details about the sufferings of these poor people. But I do not want to take up more time. All that I submit is that there is very great necessity for doing something substantial in this direction. I hope the Government would come forward with their full support and sympathy and would do something tangible as early as possible. With these words, I support the resolution of Mr. Asan.

MR. M. GOVINDAN (*Nominated*): Sir, I support the resolution with certain reservations. I admit that there is great need for good drinking water in the coastal villages of Onattukara. As has been pointed out by Mr. Kunjukrishna Pillai, there are also other villages near Quilon, particularly to the south of Quilon, where there is scarcity of good drinking water. There are the villages of Perumattura, Kayikkara, and Nedunganda lying exactly like Onattukara between the backwater and the sea. And, considering the extent of such territory, I should say that there is more of such tracts elsewhere than in Onattukara where the people suffer for want of good drinking water. I would not waste the time of the House by laying stress on the necessity for getting good drinking water. I would just say a word about the financial aspect of the question, which is most important now.

The villages which I have mentioned are not like the poor villages which Mr. Asan has the misfortune to represent. The people living in the villages which I have mentioned are fairly rich people and they can well afford to pay even a portion of the capital outlay.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Then, why not they sink their own wells?

MR. M. GOVINDAN (*Nominatedl*): The mere sinking of wells is not enough for getting good water. The people there have been digging wells very deep, and still they have not been able to arrive at any strata which would give good water. The only course, therefore, so far as the people of these villages (which I have mentioned) are concerned, is to pump up water from the other side of the backwater and to take it across the backwater.

MR. KAYALAM PARAMESVARAN PILLAI (*Additiona Head Sirkar Vakil*): Did the people there try tube-wells?

MR. M. GOVINDAN (*Nominated*): Yes, tube-wells also were a failure in the matter of getting good drinking water.

MR. RAMA VARMA RAJA (*Edavagai*): എത്രഅടി താന്നിട്ടുണ്ട് ?

MR. M. GOVINDAN (*Nominated*): About fifty feet; that was not enough.

Sir, I consulted some engineers as to the cost of the scheme that I mentioned a while ago. They said that it would not involve more than Rs. 50,000. If that is all the outlay necessary, I am prepared to undertake, on behalf of the people of these villages, to contribute half of it, provided the Government would kindly contribute the other half. Of course, the rich people in these villages have their own canoes by means of which they now get their good water from the other side of the lake as Mr. Asan explained. But, all the people there are not rich and they cannot own or even hire canoes for this purpose. They suffer very much for want of good drinking water.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is there enough good drinking water on the eastern side of the lake to meet the requirements of the people in these villages?

MR. M. GOVINDAN (*Nominated*): We shall have to resort to some artificial means, some tank or reservoir; there are no natural resources there. A reservoir there may not cost much as, on the eastern side of the lake where we now get good water, we have not got to dig deep for getting good water.

I understand from another member here that there are other villages in North Travancore also where there is this difficulty. An officer of the P. W. D. may therefore be deputed by Government to see these places in the different parts of the State and to report to Government as to the varying degrees of necessity, the places being arranged in the order of urgency of the need. Government may then take up village after village and make arrangements for the supply of good water to the people, having in view also the readiness of the people to come forward to help the Government in the work.

With these words, I support the resolution.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I also wish to say a word about this resolution. The resolution relates only to some parts of Onattukara, one of the most prosperous parts of the State. What I wish to bring to the notice of the House is that this is not a difficulty particularly relating to Onattukara alone. There are many other parts of the State that also stand in need of some provision for the supply of good drinking water. I may refer, for instance, to some tracts in South Travancore. We know, Sir, that during the last cholera epidemic, one of the chief obstacles that stood in the way of the epidemic being successfully fought was the want of good drinking water. That has been a standing grievance with the people in many parts of the State.

Sir, I put a question in regard to the boring machine. I really wanted to know how far the boring operations have been successful. We read of something being done by the Industries Department by utilising this boring machine and finding out currents of water under the ground. I do not know whether the experiment, conducted by means of this boring machine, has been, to any extent, fruitful.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that no boring can now be done with the help of the machine?

MR. A. THANU PILLAI (*Trivandrum*): I do not believe it. Either the Department of Industries has been giving false information in its Reports, or the boring machine with them is in perfect working condition. Because, I read from the Report of the Industries Department that that boring machine is being used from year to year.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Who is in charge of boring, the Department of Industries, or the P. W. D.?

MR. A. THANU PILLAI (*Trivandrum*): I think it is the Department of Industries that conducts the boring operations.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that it is an un-portable machine that the Department has? It cannot be easily transported from place to place.

M. A. THANU PILLAI (*Trivandrum*): That may be. My statement is based on the report as to what was being done in South Travancore. I just want to know whether similar operations were conducted in Onattukara also.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that the South Travancore boring was done without the aid of the boring machine?

MR. A. THANU PILLAI (*Trivandrum*): I do not know that. I speak subject to correction. I believe it was done with the help of some boring machine. I know that nothing substantial was done. I want to get some information on the matter.

Sir, this is a very serious matter; and, so far as South Travancore is concerned, the situation is very serious. I do not myself know much of Onattukara. But, we have been told enough to show that something must be done to improve the condition of things there. I therefore fully agree with my friend, Mr. Govindan, that a survey with reference to this matter may be conducted.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that such inspections of the localities have already been conducted by the Officers of Government and that reports have also been submitted to Government?

MR. A. THANU PILLAI (*Trivandrum*) Even if a re-survey is necessary, my point is that something must be started at once. I believe there are other places also which have not been surveyed and about which there are no reports before the Government. I do not suggest that Onattukarai should wait till the whole re-survey is over. In places in regard to which all the necessary information is even now available, the work may be taken up immediately. The object of the survey which I recommend is mainly to find out the places where there is real need for good drinking water.

In speaking on this very big problem, I may also bring to the notice of this House a small matter relating to the supply of drinking water in a

portion of the Trivandrum town itself. We know there are two bridges over the canal in the western part of the town, the Vallakkadavu and the Chackai bridges. Between these two bridges, on both sides of the canal, there are places where good drinking water is not available. The people have to cross the canal for getting good water; and for that purpose they have to use either of the two bridges that I have mentioned, or swim across the canal. And, the bridges are nearly two miles apart. I brought the question to the notice of the Road Board. I had to bring this matter specially to the notice of the Dewan while he was presiding over the Finance Committee. I was somehow able to get provision made in the Budget for the year 1106, for a foot-bridge across the canal in a place between the two main bridges I have spoken of, so that the poor people may conveniently cross the canal and get good water, without being forced to walk more than a mile to reach one or other of the two bridges. But, the provision was not utilised. It was only for a thousand rupees. The Department has not been able to carry out this small work so useful to the people. I think this amount had to be surrendered. This year also, I particularly asked my friends who are on the Finance Committee, to see that provision is made again for this foot-bridge; and they have succeeded in doing it. We are now in Dhanu, Sir, and I understand the amount has been surrendered this year also. If this is the way in which the Government are going to supply good drinking water to the poor people in the country, how are they going to satisfy the needs of the people of Onattukara? After all, it was a matter of a thousand rupees. I do not think the Government can say that this amount had to be surrendered because of economic depression or of retrenchment. Especially during monsoon, when the canal is high, the people find it very difficult to cross it and get drinking water. They have to walk more than a mile to one of the two big bridges and then cross the canal and bring good water. I do not think anybody can expect the poor women to swim across the canal, particularly during the monsoon when the canal would be full. I thought of bringing the small matter to the notice of this House just to point out the indifference of the Government and their officers in regard to the needs of the people. Sir, this is one of the matters in which sympathy—a very large measure of it is wanted on the part of the Government and their officers. If that is lacking nothing can be done. How is it possible to infuse sympathy in our officers? If that is possible, a good deal of good work can be done.

I have very great pleasure in supporting the resolution. I hope some effective measures would be adopted by Government to supply drinking water to the people inhabiting places where good drinking water is not now available.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Was much sympathy evident on the part of the Retrenchment Committee?

MR. A. THANU PILLAI (*Trivandrum*): I am not sure whether I should answer that question now. Anyhow, I may inform the House that, although the Financial Secretary told the House yesterday that

[Mr. A. Thanu Pillai.]

generally we arrived at unanimous conclusions, there *are* matters on which the non-official members of the Retrenchment Committee, just like those of any other committee of the Council, have not been able to agree with the official members.

MR. O. M. THOMAS (*Kottayam*): Has the Retrenchment Committee approved of less urgent expenditure?

MR. A. THANU PILLAI (*Trivandrum*): This question too is not easily answered. I cannot say. We considered some Departments. There, we tried to effect some retrenchment. As the Financial Secretary observed, as far as possible, we try to come to unanimous conclusions. But, there have been certain points on which we could by no means agree fully. The Financial Secretary was not therefore quite correct when he said that we arrive at unanimous conclusions. The non-official members can never forget the real interests of the people. I do not say that the official members deliberately forget it. Their angle of vision, probably owing to habit, is, in many cases, different from that of the people. Therefore, there *are* such differences of opinion in the Retrenchment Committee also.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): How did my friend Mr. Thanu Pillai understand the question put to him by Mr. Madhavan Pillai? Did he not refer to the sympathy of the Committee with the poor officers whose salaries the Committee sought to reduce?

MR. A. THANU PILLAI (*Trivandrum*): I have not clearly understood Mr. Madhavan Pillai's question?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I beg the member's pardon, Sir. And, he was answering that question.

MR. A. THANU PILLAI (*Trivandrum*): We try to be as sympathetic with the officers as with the people. The officers also should do it. Sir, I may say that it is a very important matter. If cholera breaks out in South Travancore once-again, I don't know what the situation would be. So, it is a matter of rural water supply. Fortunately, you cannot say that the whole State is wanting water. There are large tracts of land in the State where we are well off in this matter compared with many other parts of India.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Does the member think that with the introduction of Village Panchayats such defects can be remedied?

MR. A. THANU PILLAI (*Trivandrum*): If we establish Village Panchayats in every part of the State these defects can be remedied, of course with Government help. But when are the Government going to establish Village Panchayats in every part of the State?

MR. S. KRISHNA PILLAI (*Karnagapalli*): Does not the member know that some provision is made in this year's Budget?

MR. A. THANU PILLAI (*Trivandrum*): After all, what is that provision? With this small provision, will the Onattukara people be supplied with good water? That is what the provision amounts to. Government can allot large sums of money to establish these Village Panchayats throughout the State.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that even that sum has been surrendered?

MR. A. THANU PILLAI (*Trivandrum*) I do not know that. It is for the Financial Secretary to answer that question. This matter did not come before the Retrenchment Committee. I do not think that this sum will be surrendered. We very badly want to start rural reconstruction work and naturally that would meet a situation like this. But it will take a very long time for these Village Panchayats to be established throughout the State. We cannot afford to wait till then. Good drinking water is very necessary and, as already stated, another outbreak of cholera in South Travancore can be expected before long, if this state of things is allowed to continue. There may be difference of opinion, but that has nothing to prevent it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Where is the difference of opinion with regard to that?

MR. A. THANU PILLAI (*Trivandrum*). There is another aspect of this matter. We are trying to extend the operations of the Public Health Department. That Department, Sir, will do no serious business unless Government are prepared to supply the bare necessities of life, namely, good drinking water. We have all unhealing manner of diseases. Good drinking water is essential. So, the work of the Government is to see that good drinking water is supplied throughout the State. In areas where there is no water, what can the Department do? Whatever that comes into the stomach will affect the human system. Sir, from every point of view, this resolution has to be accepted and extended in its application to many places.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Will Mr. Thanu Pillai object to the Sanitary Commissioner being provided with funds for sinking wells throughout the country?

MR. A. THANU PILLAI (*Trivandrum*): I do not see why I should object to any particular officer being provided with funds if the work can be well done. I am not sure whether the Sanitary Commissioner is the officer just fitted to sink wells. I think he is not. Does it not require engineering skill?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): But who should determine where to sink wells?

MR. M. GOVINDAN (*Nominated*): The Sanitray Commissioner may be asked to choose sites.

MR. A. THANU PILLAI (*Trivandrum*) : I am not sure whether he is the person, beacuse the site chosen must be a site where good drinking water will be available. The Industries Department has been making borings. But what is the result? We find that it has not produced any substantial result. I think it must be somebody, who can find out where drinking water is available, that has to be entrusted with this work, no doubt in consultation with the Sanitary Commissioner.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : My question was with reference to some practical difficulties in the way. The Sanitary Comissioner recommends that wells should be sunk in different places, and the P. W. Department has to carry out this proposal. There is that difficulty. I want to know whether Mr. Thanu Pillai would object to the transer of the responsibility for sinking wells to the Sanitary Commissioner?

MR. A. THANU PILLAI (*Trivandrum*) : If that is found to be more feasible, I do not understand why there should be any difficulty. If the Sanitaay Department proposes to sink a well in a particular place and the matter is communicated to the Department of Public Works, why should there by any difficulty in this. For instance, if a building is to be built up for the use of a court, the matter is communicated to the P. W. D. and they put up the building. That is what takes place. Why should there be any difficulty with regard to the sinking of wells?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : There is the practical difficulty that wells are not being sunk as desired.

MR. A. THANU PILLAI (*Trivandrum*) ; It may probably be because the Sanitary Department is not discharging its duties efficiently or because the P. W. D. Department is not dischaging its duties efficiently; or it may be both. I do not know who is responsible for that.

MR. K. MADHAVAN PILLAI (*Trivandrum* com *Neduvangad*) : What is the member's opinion with regard to the Sanitary Commissioner sending up a list for sinking wells every year to the Government?

MR. A. THANU PILLAI (*Trivandrum*) : Then the Government should ask the Public Works Department to attend to the requisitions of the Sanitary Commissioner. If they cannot attend to this, what are the P. W. D. Officers doing. The allotments have gone down considerably. They have no work as in former years. Why should they find it difficult?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : The allotment under sinking wells also has come down.

MR. A. THANU PILLAI (*Trivandrum*) ; So, they will find it very easy to sink as many wells as the Sanitary Commissioner wants. It is a minor matter. If the Government really want this to be done, they should ask the P. W. D. to do it. Is it the suggestion that the P. W. D. Officers do not find time or that they are not able or neglect their duty. It is for the Government to see that every officer discharges his duty properly. If it is found expensive to sink these wells by the

P. W. D., Government may very well authorise the Sanitary Commissioner and see that the work is done. But from the point of view of efficiency and economy, probably the P. W. D. will be in a better position than the Sanitary Department; because they are concerned with these kinds of works. I do not wish to take more time of the Council. I strongly support the resolution.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): While supporting the resolution of Mr. Damodaran Asan, I wish to bring to the notice of the House and the Government that the lack of good drinking water is not confined to South Travancore and especially to Onattukara alone.

PRESIDENT: Has not Mr. Damodaran Asan amended his resolution so as to apply to all places?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I will gladly accept the amendment.

PRESIDENT: Otherwise all these speeches are strictly irrelevant.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): No formal amendment has been proposed.

PRESIDENT: Shall I take it that your resolution now is "that steps should be taken to supply good drinking water wherever it is not available in Travancore."?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If anybody will suggest an amendment I will accept it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): "To supply drinking water in the rural areas of Travancore wherever it is absolutely necessary."

MR. K. GOPALAKRISHNA PILLAI (*Parur*): "In all areas where there is scarcity of water."

MR. M. GOVINDAN (*Nominated*): "In the coastal pakuthies where it is absolutely necessary."

MR. GOPALAKRISHNA PILLAI (*Parur*): In my constituency also there are such villages like Munambom, Vadakakara and Thrikkakara. These pakuthies do not get good drinking water at all. The water there is brackish. People there are not able to sink deep wells as the people of Onattukara, especially at this season of depression. The want of good drinking water has been a source of trouble to the people of these places. Epidemic deseases such as small-pox were ranging in Munambom year before the last, and the people of that place were making representations to the Sanitary Commissioner; and the Sanitary Commissioner after investigating it promised a few wells; and two years and more have gone by with no tangible result. The people are sending up memorials and making representations to the Sanitary Commissioner, and not to the P. W. D. Officers; because he was the person who visited their places at the time of the epidemic and who suggested that the epidemic was caused by lack of good drinking water. I do not know what the Government have done in this matter. I do not know whether he has submitted any suggestion to Government. One thing I know and that is that the people of Munambom have not got wells sunk for them. If

[Mr. Gopalakrishna Pillai.]

the Government would be pleased to take up this matter and work it up, the people of these places would be much relieved and they would be very thankful. Not only in these pakuthies but in the interior parts also water is not available; because in some places wells have to be sunk very deep. So, not only in the coastal villages, but in interior parts also such a necessity is felt; and if, as my friend Mr. Govindan suggested, a survey is conducted and proper arrangements made for sinking wells wherever it is necessary, it would be a great source of relief. With these words I support the resolution.

MR. O. M. THOMAS (*Kottayam*): Sir, I am tempted to speak on this resolution by a remark made by Mr. Pattom Thanu Pillai with regard to the want of sympathy on the part of officials. When the discussion on this resolution was proceeding, I happened to take a distant view of the local Nazareth from which we are accustomed to expect any good to come out. Most of the officials were busily engaged in their own pursuit and I think it is the kind of sympathy that they wish to extend to this resolution.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Can it not be because they are in full agreement ?

MR. O. M. THOMAS (*Kottayam*): I am suffering from a kind of temporary deafness. I expect every member who interrupts me to speak loudly.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I am heard, I believe ?

MR. O. M. THOMAS (*Kottayam*): I did not hear.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Can it not be because the officers are in full agreement with the spirit of the resolution.

MR. O. M. THOMAS (*Kottayam*): I do not think so; because if they are really in sympathy with the resolution they would not have certainly read newspapers. That is not an expression of sympathy when we discuss a resolution like this in this Council. Sir, there is certainly some antithesis between the Government and the people. When a representation of the people on one side of the House raises the cry for good drinking water, and when on the other side of the House there is a kind of real or an affected deafness to that cry, it certainly shows that there is something radically wrong with the scheme of things in Travancore. Mr. Thanu Pillai said about certain proposals for retrenchment which were considered by the Committee of which he himself is a member to represent the popular side of this House. I put him a question when he was talking on the resolution whether...

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Is the member in order, Sir ?

PRESIDENT: On what ?

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : Is he speaking on the resolution before the House?

PRESIDENT : Yes.

MR. O. M. THOMAS (*Kottayam*) : I put him a question whether the Retrenchment Committee approved of less important expenditure. He said he was not in a position to answer a question like that. Now if you quote examples in other countries from which this Government often derive examples, I think the tone on the part of Government and of officials will be proved by a choice of one fact. In most of the Governments in India, as well as outside, the situation brought about by this international depression, has induced, has almost enforced, Government officials ...

PRESIDENT : Mr. Thomas, will you please confine yourself to matters relevant to this particular resolution?

MR. O. M. THOMAS (*Kottayam*) : I am speaking of the want of sympathy on the part of officials.

PRESIDENT : Want of sympathy is not the resolution.

MR. O. M. THOMAS (*Kottayam*) : I am talking of the resolution and whatever is likely to arise out of this resolution.

PRESIDENT : That has not much to do with the resolution unless you make it relevant.

MR. O. M. THOMAS (*Kottayam*) : What I say is, Mr. President, that I was surprised at the attitude with which this resolution was discussed in this House. That, I believe is relevant to this question. That attitude on the part of the Government and their officials has been in sharp, marked contract with the attitude that has been noticed elsewhere. In the course of the discussion, whether retrenchment has been sufficiently effected has also been introduced; and my own contention is that retrenchment has not been sufficiently effected in this country. I apprehend that this resolution is likely to be opposed on the ground of paucity of funds

PRESIDENT : Why should you not wait till that is done?

MR. O. M. THOMAS (*Kottayam*) : I apprehend this resolution is likely to be opposed on the ground of paucity of funds.

PRESIDENT : Why not wait till that is done?

MR. O. M. THOMAS (*Kottayam*) : That is my own apprehension. That cannot be wrong. In that case it is for the officials to correct and say that it is not so. It is not possible to express any opinion in this House on any question unless individual expression of opinion is allowed.

PRESIDENT : Unless you are trying to bring in matters irrelevant, all relevant questions can be discussed.

MR. O. M. THOMAS (*Kottayam*) Mr. President, what I fear is......

PRESIDENT : Don't say "Mr. President". Say "Mr. President, Sir." That is the proper form.

MR. O. M. THOMAS (*Kottayam*) : Mr. President, Sir, what I fear is that Government may say that they have no money. But money could be found if satisfactory retrenchment is effected in public expenditure. The relative needs and the urgency of the needs must be taken into consideration when public expenditure is sketched out. The need for good drinking water is an absolutely physical need. There is no getting over that; whereas the needs to which the Government now cater are more or less of the character of luxury. If no other way is open to Government to find funds for this very urgent need for good drinking water, then Government, if they have any measure of sympathy for the needs of the people, must, in the last resort at least, come forward with a substantial reduction in the pay and allowances of officials. That is one of the methods of finding sufficient funds for carrying out the resolution for the supply of good drinking water. I am still further afraid that as the scope of the resolution has been widened there is more likelihood on the part of the Government assuming an attitude of non-posumus. That is why I have been discussing at some pains the question of retrenchment. But, as you have called me on the question of relevancy, I do not think it necessary to make any further observations on that subject. But, whether sufficient funds are found this year or next year, this question will remain with the Government of Travancore for a long time to come. This is a question which is put forward by the representatives of the people irrespective of seasonal agitation. This is a permanent necessity which the Government will have to face one day or other, and funds will have to be provided for catering the real and felt requirement.

Somebody in the course of the discussion raised a question whether this matter of providing good drinking water could not be entrusted to the Village Panchayats. Nobody knows when the Village Panchayats are going to be worked satisfactorily to the extent of providing good drinking water in all the rural areas where there is scarcity of that article of every day consumption; so that national finance will have to bear this strain of expenditure on this question before we develop Village Panchayats to a high state of efficiency. In course of time more of these demands are likely to be brought forward by the people and some system of regulating public finance is necessary to satisfy the requirements of the people. And in giving effect to this resolution, I hope the Government will not consider the question of the present economic depression to such an extent as to affect the resolution prejudicially. I support the resolution.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : In the first place, I have to thank Mr. Thanu Pillai for his strong plea on behalf of the people of South Travancore. While supporting the resolution......

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know whether he is not thankful to him for supporting the cause of the people of North and Middle Travancore ?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : I make special reference to South Travancore. While fully accepting the resolution moved by Mr. Asan in regard to Onattukara, I have only to remind the Government that they should not overlook the sad plight of people similarly

circumstanced in other parts of Travancore as Mr. Kunjukrishna Pillai wanted me to do.

PRESIDENT : Has not Mr. Asan amended his resolution ?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : No.

PRESIDENT : He has accepted the amendment.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Yes, I have accepted the amendment.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : From the sense of the House, and in view of the fact that Mr. Asan has accepted the amendment, certainly it is superfluous to refer to any parochial needs. Still I cannot resist the temptation to refer to one particular place in my constituency. In the Karimkulam Pakuthi, which is a coastal area, people have to go two or three miles inland to get water. It is dirty and brackish water that they use. As Mr. Thanu Pillai pointed out, during the last cholera epidemic this was the area where there was an intensive outbreak. So, my request to Government is that while certainly not overlooking the claims of Onattukara and other rural areas, special attention should be paid to the sad plight of the people inhabiting the coastal areas in the Karimkulam Pakuthi. Whether it be done by means of the boring machine or other machines I do not care. I only request that these people be supplied with good drinking water. With these words I support the resolution.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : Sir, I support the motion, and, in doing so, in the absence of any particular local grievance, I wish to confine myself to the tracts referred to by Mr. Asan. I claim to know personally something about the places included in the areas originally covered by Mr. Asan's motion. I fully endorse all the points urged in support of the motion by my friends here ; but my chief point in supporting the motion in its original form is that these tracts are inhabited by a set of people known as Arayas, very fine people, highly cultured, though not on modern lines; and I may even say that they are one of the finest of the sections of His Highness's subjects. Most of you might not have seen any of them. I believe some members of this community were being nominated to sessions of the Sri Mulam Popular Assembly from time to time ; but, of course, we know that the nominated members are not the proper stuff to represent the best of a community. If these people are properly cared for, I am sure they would form a source of pride for the Government. In spite of their avocation, fishing, they are extremely clean in their thought, habit, character, methods and outlook. They suffer from very serious disadvantages owing to the fact that they are cut off from the mainland. There are no proper roads, there is not even a Government English School in the whole area, and I believe not even a recognised private institution. If they continue like this.........

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know whether these are due to scarcity of water ?

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Due to the want of sympathy they experience at the hands of the Government. If the Government continue to treat them in this unsympathetic way, I am afraid that that fine section—I repeat—of the subjects of His Highness the Maha Raja might become extinct. My point is that either the Government have to provide them—of course it is not possible because their main industry is fishing—with some places here on the mainland or they ought to, in particular consideration of the qualities mentioned by me, extend a helping hand to them.

MR. R. VAIDYALINGOM PILLAI (*Registrar of Co-operative Societies, of Joint Stock Companies and Protector of depressed classes*): Was there not a Member of the Legislative Council from this community?

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Not exactly from this area. Of course, there was a member of the Legislative Council, a nominated one. But that does not mean anything by way of help rendered by Government to that community. A member of the Legislative Council cannot work miracles; he is no remedy for all the ills the community suffers from.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether it is not some recognition?

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): It is; but that does not bring good drinking water. It does not bring any other advantages which the Government can afford to particular sections of the people.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Did he not plead for that?

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): He might have pleaded for that. My friend Mr. O. M. Thomas is afraid that the people in these areas would have to wait, and wait long, for the introduction of the Village Panchayat system to get good drinking water. My submission is that these tracts, referred to by Mr. Asan, are the fittest for the introduction, even at the outset, of the Village Panchayat system; because they satisfy the conditions required by the Regulation. I think therefore that it would be proper if the Village Panchayat system is first put into operation in these areas. I do not agreee with Mr. Asan when he says that no water cess need be levied on these people in consideration of the fact that they are poor. They are not so poor as Mr. Asan thinks. Probably, Mr. Asan has not taken into consideration that aspect of their industry which brings them more money than Agriculture or any other avocation with which people are concerned. Their industry is fishing, which does not go down even in abnormal times in the matter of procuring income. So water cess can very well be levied. My submission is that Government should view the question from all points of view urged by my friends here and particularly from the point of view of enabling a community, a section of the people of the type I have described, to thrive. With these observations I support the resolution.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): Sir, I rise to support the resolution moved by my friend, Mr. Asan, with the amendment just made. In doing so, I wish to bring to the notice of the House certain

facts with regard to the Chirayinkil taluk only. My learned friend who spoke about some parts of the Chirayinkil taluk has already informed this House what amount of difficulty is being experienced in the coastal regions. He mentioned only three particular places; but I should say that there are many other places also which are in no way better off. At the time of floods, people inhabiting the western side of the taluk I mean the coastal regions, have to go in canoes nearly one mile *up the river* to get home drinking water. Accidents are very frequent. This has repeatedly been brought to the notice of the Government through the Sri Mulam Popular Assembly, praying for the rectification of the defects as early as possible. I think Government will not be too late to realise the importance of this question and will consider it sympathetically and remove the defects at an early date.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): Sir, I rise to support the resolution as amended. The difficulties that have been expressed by Mr. Asan as applicable to Onattukara, and those that apply to Nanjinad are not restricted to those particular places. Shencotta, for instance, is a place which is subject to periodical outbreaks of cholera. It is notorious they involve ravages of the worst kind These periodical outbreaks are, in the opinion of experts, due to the scarcity of good drinking water; and one of the greatest problems confronting the taluk of Shencotta could be solved by embarking on a scheme for the supply of good drinking water, I believe several schemes have been before the Government for consideration; but no action has as yet been taken or finally decided upon. When the general question of supplying water to the localities that stand badly in need of water is being considered, I hope Government would extend their sympathetic support also to any scheme that may be drawn up to suit the needs of Shencotta I support the resolution.

MR. R. S. SUBRAHMANYA PILLAI (*Kaikulam cum Vilavankod*): സർ, ഞാൻ ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്നു. ജനക്ഷേമത്തിനു എത്രയും അത്യന്താപേക്ഷിതമായിട്ടുള്ള ഒരു പ്രമേയമാണിതു്. കുടിക്കുന്നതിനു വെള്ളം കിട്ടുന്നതിൽ തിരുവിതാംകൂറിലെ മററു ഭാഗങ്ങളെ അപേക്ഷിച്ചു തെക്കൻതിരുവിതാംകൂറിലെ സ്ഥിതി ഏററവും ശോചനീയമാണെന്നു ഞാൻ പറയാതെതന്നെ അറിവുള്ളതാണല്ലോ. കഴിഞ്ഞ ൧൦൯, ൧൦൮ ഈ ആണ്ടുകളിൽ തെക്കൻതിരുവിതാംകൂറിലുണ്ടായിട്ടുള്ള കോളറാബാധയുടെ സ്മരണ ശ്രോതരുടേയും ഹൃദയത്തിൽനിന്നും മാഞ്ഞുപോയിരിക്കാനിടയില്ലെന്നു ഞാൻ വിചാരിക്കുന്നു. വെള്ളത്തിൽ നിന്നുമാണു് ഈ വ്യാധി ഉത്ഭവിക്കുന്നതെന്നും പരക്കുന്നതെന്നും സമ്മതിക്കുന്ന സ്ഥിതിക്കു തെക്കൻ തിരുവിതാംകൂർകാൎക്കു കുടിക്കുന്നതിനു വെള്ളമില്ലാത്തതുനിമിത്തമുള്ള ബുദ്ധിമുട്ടു് എത്രമാത്രമുണ്ടെന്നുള്ള സംഗതി സുവ്യക്തമാണു്. ഇതിലേക്കു ഇൻസ്പെക്ടിംഗ് മെഡിക്കലാഫീസർ സാക്ഷ്യം വഹിക്കുമെന്നു

[Mr. R. S. Subrahmanya Pillai.]

ഞാൻ വിശ്വസിക്കുന്നു. ഒരു കുടുംബത്തിൽ ഭൂരിപക്ഷം അംഗങ്ങളും സുഖം അനുഭവിച്ചു കൊണ്ടിരിക്കുമ്പോഠം ന്യൂനപക്ഷക്കാർ കുടിക്കാൻ വെള്ളമില്ലാതെസാംക്രമികരോഗങ്ങളും മററുംപിടിപെട്ടു അകാലമരണത്തെ പ്രാപിക്കേണ്ടിവരികയാണെങ്കിൽ അതിനെക്കാഠം കഷ്ടതരമായിട്ടു മററെന്താണുള്ളതു്?

ഇതിനും പുറമെ ഇപ്പോഠം കാളറാപോലെ "ഗിനി ഓം" എന്നൊരു പുത്തൻ രോഗംഉത്ഭവിച്ചിരിക്കുന്നു എന്നും, അതും വെള്ളത്തിൽനിന്നു തന്നെ ഉണ്ടാകുന്നു എന്നും, ആ രോഗത്തെ ഉണ്ടാക്കുന്ന അണുവിനൊ ഉണ്ടായതിൽ പിന്നീടുള്ള അണുവിനോ ഫ്വ ഇഞ്ചു നീളമുണ്ടെന്നും, അതിനെപ്പററി ഛച്ചു ചെയ്യുന്നതിനായി അഞ്ചു ഇൻസ്പെക്ടിങ്ങ് മെഡിക്കലാഫീസർ്‌യെച്ചു കൊടുത്തിരിക്കുന്നു എന്നും അറിയുന്നു. ഇതും പരമാർത്ഥമാണെങ്കിൽ തെക്കൻ തിരുവിതാംകൂറിലെ കഥ എന്തായിരിക്കുമെന്നു ഒന്നാലോചിച്ചുനോക്കുക ഹാ കഷ്ടം! ഈ ദോഷത്തെ പരിഹരിച്ചു ജനക്ഷേമം പരിപാലിക്കത്തക്കവണ്ണം തെക്കൻ തിരുവിതാംകൂറുകാക്കും കുടിക്കുന്നതിനു വെള്ളം നൽകേണ്ടസൌകര്യം ചെയ്തുകൊടുക്കേണ്ടതു ഗവണ്മെൻറിൻെറ കടമയാകുന്നു.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): തെക്കൻ തിരുവിതാംകൂറിൽ പല സ്ഥലത്തും "ടൂബ്‌വെൽസ്" ഇല്ലേ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): ചില സ്ഥലങ്ങളിൽ കാണുമായിരിക്കാം. ആളൂർ എന്ന സ്ഥലത്തു മുഹമ്മദീയരാണു് അധികവും താമസിക്കുന്നതു. ആ സ്ഥലത്തു നല്ല വെള്ളം കിട്ടത്തക്കവണ്ണം ഒരു കിണറാകട്ടെ ഒരു കുളമാകട്ടെയില്ല. അവരുടെ സ്ത്രീകഠം ഘോഷാസമ്പ്രദായത്തിൽ ജീവിക്കുന്നവരായതുകൊണ്ടു പ്രഭാതത്തിനു മുമ്പുതന്നെ ഒന്നും ഒന്നരയും മയിൽ അകലെ പോയി വെള്ളം കൊണ്ടുവന്നു കഴിച്ചുകൂട്ടേണ്ടിയിരിക്കുന്നു. ഇരുട്ടത്തു വെള്ളം കൊണ്ടുവരുന്നതിനായി പോകേണ്ടിയിരിക്കുന്നതിനാൽ അവർ അനുഭവിക്കുന്ന ബുദ്ധിമുട്ടുകഠം ഒട്ടും ചില്ലറയല്ല. ആ പ്രദേശത്തു ഒരു കിണറു വെട്ടുവാൻ എസ്റ്റിമേററ് അയച്ചു് ആറുമാസത്തിനു മേലായെങ്കിലും ഒരു ഫലവും ഇല്ലാതെയാണിരിക്കുന്നതു്.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): കഴിഞ്ഞ കാളറാ ബാധയ്ക്കു ശേഷം വെള്ളം കിട്ടാത്ത സ്ഥലത്തു വെള്ളം കൊടുക്കുന്നതിനു ഗവണ്മെൻറിൽ നിന്നും ചില ഏർപ്പാടുകഠം ചെയ്തിട്ടില്ലേ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): മുട്ടം എന്ന സ്ഥലത്തു വെള്ളം കിട്ടാതെ വലഞ്ഞു കൊണ്ടിരുന്നതിൻെറ

ഫലമായി ഗവണ്മെൻറിൽ നിന്നും തന്നെ ഒരു മോട്ടാർ ലോറി വെച്ചു അകലെ നിന്നും വെള്ളം കൊടുത്തുവന്നിരുന്നു; ഇപ്പോഴില്ല.

അതിനാൽ കുടിക്കാൻ വെള്ളം നല്കുന്ന വിഷയത്തിൽ തെക്കൻ തിരുവിതാംകൂറിലെ കാൎയ്യം പ്രത്യേകം ആലോചിക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. N. JOHN JOSEPH (*Nominated*): സർ, മി: കുഞ്ഞുകൃഷ്ണപിള്ളയുടെ ഭേദഗതിയോടുകൂടിയ ഈ പ്രമേയത്തെ ഞാൻ അനുകൂലിക്കുന്നു. ഗവണ്മെൻറിൽനിന്നും പൊതുജനക്ഷേമത്തെ ഉദ്ദേശിച്ചു ജാതിമതഭേദം കൂടാതെ വെള്ളം കിട്ടത്തക്കവണ്ണം പല സ്ഥലങ്ങളിലും കിണറുകൾ വെട്ടിതന്നിട്ടുണ്ട്. എന്നാൽ അങ്ങിനെയുള്ള സ്ഥലങ്ങളിൽ അധഃകൃതരെ തീണ്ടലുള്ള ജാതിക്കാരെന്നുംപറഞ്ഞു അകററി നിൎത്തിവരുന്നതായിട്ടു എനിക്കറിയാം. ഇങ്ങനെ ഒരവശത അധഃകൃതൎക്കു വെള്ളം കുടിക്കുന്ന കാൎയ്യത്തിലുണ്ടെന്നുള്ള സംഗതി ഗവണ്മെൻറിൻെറ ദൃഷ്ടിയിൽ കൊണ്ടുവന്നിട്ടുണ്ട്; ഗവണ്മെൻറു ആ വഴിയിൽക്കൂടി ചിലതെല്ലാം പ്രവൎത്തിക്കുന്നുമുണ്ട്. എങ്കിലും ഈ പ്രതിബന്ധം എല്ലാ സ്ഥലത്തും തീൎന്നു കിട്ടിയിട്ടില്ലെന്നുള്ള സംഗതി ഇവിടെ പറയാതിരിക്കാൻ നിവൃത്തിയില്ല. "അധഃകൃതൎക്കു വൃത്തിയില്ല; വെള്ളത്തിനു വില കൊടുക്കുണ്ടല്ലോ: ഒന്നുകൂടി നനച്ചുകുളിച്ചു വരട്ടെ" എന്നൊക്കെ പല മഹാന്മാരും ഇവരെ കുററപ്പെടുത്താറുണ്ട്. എന്നാൽ യഥാൎത്ഥത്തിൽ നല്ല വെള്ളത്തിൽ കുളിക്കാനോ നല്ല വെള്ളം കുടിക്കാനോ നാട്ടിൻപുറങ്ങളിലുള്ള അധഃകൃതൎക്കു നിവൃത്തിയില്ലെന്നുള്ള സംഗതി ഗവണ്മെൻറിൻെറ ദൃഷ്ടിയിൽ കൊണ്ടുവരണമെന്നാണ് എൻെറ ആഗ്രഹം. വെള്ളം കിട്ടാത്ത സ്ഥലത്തു് വെള്ളം കൊടുക്കുന്നതിനു വേണ്ട നടപടികൾ ഗവണ്മെൻറു നടത്തിവരുമ്പോൾ വെള്ളത്തിന് ഒരു ചെറിയ കൂലികൂടി അധഃകൃതർ കൊടുക്കേണ്ടിവരികയില്ലേ എന്നുകൂടി ഞാൻ സംശയിക്കുന്നു. അതിനാൽ അധഃകൃതനെന്നോ അധികൃതനെന്നോ ഉള്ള വ്യത്യാസം കൂടാതെ എല്ലാവൎക്കും വെള്ളം കിട്ടത്തക്കരീതിയിൽ എന്തെങ്കിലും ഒരു വ്യവസ്ഥ ചെയ്യേണ്ടതാണ്. അധഃകൃതർ കുടിപാൎപ്പുള്ള സ്ഥലങ്ങളിൽ മററുള്ളവൎക്കും വെള്ളം ലഭിക്കുന്നതിനു സൌകൎയ്യം കിട്ടത്തക്ക രീതിയിൽ കിണറുകൾ വെട്ടിക്കൊടുക്കണമെന്ന് അഭ്യൎത്ഥിച്ചുകൊണ്ടു ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു.

MR. K. P. MADHAVAN PILLAI (*Shertallai*). Sir, I have great pleasure in supporting the resolution before the House. Somehow or other too much emphasis is laid on the necessity of supplying good drinking

[Mr. K. P. Madhavan Pillai.]

water in south Travancore and in the *pakuthies* near Onattukara. I support the resolution lest it be understood that the taluks of North Travancore are not victims of this difficulty.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I remind my friend that the resolution has been amended?

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Yes, I understand that.

I wish to bring to the notice of this Council and the Government that important towns like Alleppey and adjacent places are also lacking, absolutely lacking, in the supply of good drinking water, especially the taluk of Shertallai where drinking water could be had only from tanks. The Sanitary Commissioner, when once he visited the place, remarked that the outbreaks of epidemics such as small-pox and cholera are almost due to the scarcity of good drinking water. I have to thank myself that, though such a resolution was not brought in by me, I can take shelter under this resolution. I lay special emphasis on the fact that there is absolute necessity of supplying good drinking water not only in the taluk of Shertallai but also in the town of Alleppey where good drinking water is very rare.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I suppose that in these places there is no dearth of water?

MR. K. P. MADHAVAN PILLAI (*Shertallai*): There may be a sufficient quantity of water but it is a question of healthy drinking water. I understand that water, especially in the wells in Alleppey, has the appearance of the decoction of tea or coffee and there are sufficient indications that it is not healthy.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I remind my friend that I have stood the shock for 37 years?

MR. K. P. MADHAVAN PILLAI (*Shertallai*): I am not aware of that.

With these few words, I support the resolution.

MR. J. S. WESTERDALE (*Chief Engineer*); Sir, I fully sympathise with the spirit of the resolution. But, I am afraid that in the form as it stands at present, it is impracticable to accept it. Even as it was first moved by Mr. Asan and confined to a small locality it would have been a large enough undertaking; but as it rolled round the Council chamber it grew to such dimensions as to become an entirely impracticable proposition for the Government to undertake. The resolution as it now stands recommends the Government to provide drinking water wherever it may not be available in the State.

PRESIDENT: I do not think that members said that everything should be done all at once. They said that there must be a scheme and that it should be worked out gradually.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): What is the approximate amount that Government propose to spend in the town of Trivandrum in the matter of water-supply?

MR. J. S. WESTERDALE (*Chief Engineer*): A little over fifty lakhs of rupees.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know what is the amount spent till now for rural water-supply ?

MR. J. S. WESTERDALE (*Chief Engineer*): I do not think that there is any record for that.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Would there be any difficulty in carrying out the scheme by providing a minimum for every year even including lean years with an increase in fat years?

MR. J. S. WESTERDALE (*Chief Engineer*): There will be no difficulty in giving effect to that eventually.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is there anything wrong in suggesting that a minimum should be spent every year on the supply of this important necessity?

M. J. S. WESTERDALE (*Chief Engineer*): I should have no objection at all.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): You can increase the allotment when you have more funds.

PRESIDENT: What is the allotment this year ?

MR. J. S. WESTERDALE (*Chief Engineer*): For water supply, it is Rs. 12,000 for new works and Rs. 5,500 for works in progress; and there is some allotment for utilisation by the Sanitary Commissioner.

Judging from your remarks, I take it that the principle may be accepted. Therefore, I need only speak on some of the individual points which have been raised here and the possible means of giving effect to them.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): If the Chief Engineer would come to the front, we could hear him better.

(*The Chief Engineer came to the front and continued.*)

MR. J. S. WESTERDALE (*Chief Engineer*): Mr. Asan's resolution as it first stood is the basis of the amended resolution as it now stands and I propose therefore to deal with the area covered by his resolution a great many references had been made in the discussion today to lack of sympathy on the part of Government. I must say that in reading through the records of this case, I can find no evidence of lack of sympathy. The chief reason why much has not been done is due to the difficulty in working out any practicable scheme.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Is the Department spending the whole allotment under this item every year ?

MR. J. S. WESTERDALE (*Chief Engineer*:) It is not always spent, mainly for lack of a practicable scheme. There is no object in wasting money on useless schemes.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*); Under the head of Water-supply ?

MR. J. S. WESTERDALE (*Chief Engineer*): I am speaking about the supply of water in the coastal areas. The reason why very little has been done is undoubtedly because it is not a practicable preposition. Some of those proposals which have been made by the members have been proposals of a very expensive type, and I should only be too glad to receive a practicable proposal. There have been proposals to sink tube wells and pumping water from the mainland but without a full realisation of the financial implications involved. The member himself mentioned a proposal which is estimated to cost approximately Rs. 30,000. I do not know what is really intended in that scheme, whether it is boring or pumping water Anyhow the initial expenditure is likely to be not less than Rs. 30,000 and a very big annual maintenance is also necessary. Reference has been made to Mr. Vaipan's suggestion for sinking tube wells. Mr. Vaipan proposed this scheme as a last hope to relieve the distress of the people in coastal areas. He inspected the place last year in April and found that there was little prospect of finding fresh water by shallow wells and finally said that the possibility of deep borings had not been entirely exhaustive. He does not express a definite expectation that water could be found there but suggested it, as it were, as a last resort. That proposal was referred to the Director of Industries—why, I don't know—presumably because the Director of Industries had some special knowledge of geology. Any way, it was referred to him for opinion and he reported adversely on the proposal. He pointed out that the whole of the backwater area consisted of silt, sand and other materials being deposits of soil washed down from the Travancore hills, and that the subsoil consequently might reasonably be expected to contain salt water. I agree with that opinion and do not feel optimistic about deep borings in that area. I do not say that it is entirely impossible. There have been cases where deep boring has disclosed fresh water in unlikely places.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the depth to which this investigation was conducted?

MR. J. S. WESTERDALE (*Chief Engineer*): It has not been conducted. The proposal was dropped. They bored up to a depth of over 300 feet at Cochin without finding any good water coming in reasonable quantities; and the work cost nearly Rs. 75,000. This was probably an excessive figure. But I think a reasonable figure to be spent on deep borings might easily come to twenty or thirty thousand rupees including the cost of pipes plant, and the deeper you bore the more expensive it will be. Shallow boring requires pipes of small diameter and more expensive and larger pipes are required in the case of deep borings.

Several references were made about the boring machine. I am equally mystified as some of the members are. There is a boring machine in the Workshops and Stores Division and it is entirely unsuited for boring in sandy areas. It is called a Calyx Core Drill, and its sole purpose is boring in hard rocks. It is not the type of machine that could be used for boring in sandy areas near the sea.

PRESIDENT : Is that the same machine Mr. Chacko?

MR. I. C. CHACKO *(Director of Industries)* : Yes, Sir.

MR. K. KUNJUKRISHNA PILLAI *(Quilon)* : Will it bore rocks or hard soil?

MR. J. S. WESTERDALE *(Chief Engineer)* : Soils hard enough; for solid was to be taken by this drill.

MR. A. THANU PILLAI *(Trivandrum)* : What is the result of all the boring in south Travancore by the Industries Department? Has it yielded any result?

MR. J. S. WESTERDALE *(Chief Engineer)* : I have no record of the boring results.

MR. S. KRISHNA PILLAI *(Karunagapalli)* : Has any boring work been done after the machine was sent over to the Workshops Division?

MR. J. S. WESTERDALE *(Chief Engineer)* : I do not know; I found the machine in the Workshops when I came to the State and do not know its past history.

MR. S. KRISHNA PILLAI *(Karunagapalli)* : Is any use being made of it now?

MR. J. S. WESTERDALE *(Chief Engineer)* : I am not aware of any use being made.

MR. S. KRISHNA PILLAI *(Karunagapalli)* : Was it purchased at the suggestion of the P. W. D. Workshops Division or at the instance of the Director of Industries?

MR. J. S. WESTERDALE *(Chief Engineer)* : I am sorry I cannot give any information on these points. I found the machine in the Workshops when I came here. I did not expect that it would be questioned in the course of the discussion.

RAO BAHADUR K. A. KRISHNA AIYANGAR *(Nominated, Deputy President)* : Was the machine ordered with the ostensible intention of ascertaining the existence of mineral oil at Alleppey?

MR. J. S. WESTERDALE *(Chief Engineer)* : I have no information regarding that.

An estimate for Rs. 4,275 was prepared in 1928 for the sinking of three wells in the coastal village of Trikunnapuzha. At that time, the President of the Kesavavilasam Co-operative Society offered to give the land for one of the wells. The other two wells were to be sunk in private lands. There has been a good deal of difficulty in the formal handing over charge of the land. Mr. Jacob reported in the middle of July that the land had been taken over and that he proposed to sink the well as soon as he could. Apart from that, we have estimates for three other wells of which one has been actually constructed. That one is near the vernacular school in Edakad near Mangalam. The work was completed last year, and I understand it is a succeessful one. Last month, an estimate for the sinking of two wells in Alapad was received and I propose to sanction it and get work started as soon as possible. One of the chief difficulties in rapid progress in such cases is the securing of the land.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it because land has to be acquired?

MR. J. S. WESTERDALE (*Chief Engineer*): Usually land has to be acquired.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): So proceedings take some time. Is difficulty experienced in the course of land acquisition proceedings or is it because Government hesitate to acquire lands?

MR. J. S. WESTERDALE (*Chief Engineer*): Not that Government hesitate to acquire lands.

The House adjourned for lunch at 2-5 P. M. and met again at 2-45 P. M. with the Deputy President in the chair.

MR. J. S. WESTERDALE (*Chief Engineer*): When the Council rose for lunch, I was dealing with the work which had been or is being done in the coastal areas which the resolution referred. I was mentioning 3 estimates for wells which are being or are to be sunk.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I remind the Chief Engineer that the resolution as it is amended and accepted by the mover refers not only to the supply of water in the coastal areas but to the supply of water throughout the State wherever there is scarcity of water.

MR. J. S. WESTERDALE (*Chief Engineer*): I quite realise that. In addition to the need for water supply throughout the state several members referred also to irrelevant topics such as the work of the Retrenchment Committee. I wish to confine my remarks strictly to the subject under discussion and so on dealing first with the primary basis of the resolution. An estimate for 3 wells was sanctioned in 1928 and we are just taking up the work because we got lands only just now. One well was constructed at Edakad and estimate for the other two is about to be sanctioned because they are within my power. Altogether we are working on six wells in that area. We have done nothing in the direction of pumping water into the area from anywhere else.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): But could not wells be sunk in other parts of the coastal regions also. I mean Trikunnapuzha or Karunagappalli?

MR. J. S. WESTERDALE (*Chief Engineer*): I am afraid I do not know precisely the localities that you are referring to. If they are between the sea and the backwater the chances of fresh water are less particularly if the areas you refer to are further south.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): They are further south.

MR. J. S. WESTERDALE (*Chief Engineer*): Mr. Vipan specifically mentioned in his report that as he went south from the area in which we are now sinking wells there was more and more difficulty in finding fresh water. It was then that he made the suggestion for deep boring. He realised the improbability of being able to get fresh water from shallow wells sunk on the spot. I think his apprehension was

well grounded. I do not know whether the member has any experience of wells in that area. That is the point upon which, I intended to speak.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know what the proposals of Mr. Vipan were?

MR. J. S. WESTERDALE (*Chief Engineer*): It was the last hope to sink deep borings in the hope of tapping water from what is known as artesian or sub-artesian sources.

DEPUTY PRESIDENT: Mr. Vipan's proposal was to sink further deep in places, where there are impervious rocks, by boring, and find out artesian supplies.

MR. J. S. WESTERDALE (*Chief Engineer*); I do not wish to express a definite opinion on that, or to say that it is an entirely impracticable suggestion. It might be alright, but it is undoubtedly a gamble. It might be successful. If the Government are prepared to spend the money, I am quite prepared to carry out the work.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): After Mr. Vipan left, has any experiment been made by the present Chief Engineer?

MR. J. S. WESTERDALE (*Chief Engineer*): The only thing that has been done is with regard to shallow wells No boring has been done.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether that was conducted?

MR. J. S. WESTERDALE (*Chief Engineer*); Primarily because Government had an adverse opinion and, in view of that fact, were not prepared at that time to spend money on it. The proposal was referred to the Director of Industries.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): You say that Government had an adverse opinion. May I know from the member whether.............

MR. J. S. WESTERDALE (*Chief Engineer*): That opinion was based on the geological conditions at the site.

On account of the adverse geological opinion the suggestion has not followed. Presumably, Government were not prepared to spend money on what would after all be a gamble.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Was the Geologist consulted? That is what I want to know.

DEPUTY PRESIDENT: Yes.

MR. J. S. WESTERDALE (*Chief Engineer*): I do not say that Government have given up that scheme; the suggestion was merely not acted upon up till now.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has any alternative proposal been suggested by the Chief Engineer?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes, the proposal referred to by the member, of pumping water from the mainland.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Which of these is more adoptable in the opinion of the member?

MR. J. S. WESTERDALE (*Chief Engineer*): What do you mean by "adoptable"?

MR. S. KRISHNA PILLAI (*Karunagapalli*): You have suggested four ways of finding out water. What is it that you could adopt as a practicable proposition? Is it the last one or the third?

MR. J. S. WESTERDALE (*Chief Engineer*): I think the third one is the most practicable suggestion and for that money is forthcoming.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that the co-operative society of the locality undertook to transport drinking water from the eastern tract and intimated that to Government. But the Government refused to render any help. Is the member aware of any such thing?

MR. J. S. WESTERDALE (*Chief Engineer*): I am not aware of that.

MR. M. GOVINDAN (*Nominated*): The member said that it would be very expensive to pump water from the opposite side of the backwater to benefit the people. What would be the approximate cost of transporting water in case the backwater is about one mile in breadth?

MR. J. S. WESTERDALE (*Chief Engineer*): I am afraid I cannot give the figure on that because I do not know how much the source of supply would cost.

MR. M. GOVINDAN (*Nominated*): Supposing the village is situated one mile or half a mile from the source of the water, what will be the approximate cost of pumping water?

MR. J. S. WESTERDALE (*Chief Engineer*): There are three items in the cost. First is the developing of the source, the second is the transport of the water to the other side, and the third is the distribution. As I have no information whatsoever regarding possible sources of supply, I am not prepared to give any definite figure. I am of opinion, however, that a minimum expenditure of Rs. 40,000 would be necessary for such a water-supply scheme apart from the expense of maintenance.

MR. M. GOVINDAN (*Nominated*): If people would undertake to supply half the cost, will the Government be sympathetic enough to meet the balance in the matter of supplying drinking water?

MR. J. S. WESTERDALE (*Chief Engineer*): I am afraid I cannot speak with regard to the policy of the Government. I can only say that that is the principle upon which the Madras Government invariably act. In the case of water-supply schemes in the Madras Presidency if people are willing to pay half the cost and agree to maintain it subsequently the Madras Government almost invariably agree to subscribe the other half.

MR. M. GOVINDAN (*Nominated*): If the village gives an undertaking to that effect, will the Government of Travancore be sympethetic enough to meet the other half of the cost and carry on work on the recommendation of the Chief Engineer on the lines adopted in Madras?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has Mr. Vipan recommended that?

MR. J. S. WESTERDALE (*Chief Engineer*): He referred to it. As a practicable proposition it is too expensive to undertake. Mr. Vipan mentioned that fact in his report.

MR. S. KRISHNA PILLAI (*Karunagapalli*); What is the decision of Government in the matter as it stands? Has anything been done?

MR. J. S. WESTERDALE (*Chief Engineer*): There are no funds at present for expensive schemes. The Department is proceeding with the simplest solution namely, sinking of wells in those areas in the hope that they will meet the ordinary situation.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member aware that there are ordinary wells which do not yield good drinking water?

MR. J. S. WESTERDALE (*Chief Engineer*): I have heard that that is the case. We propose to sink our wells in places where fresh water is expected. It is understood that when wells are sunk in certain portions of the tracts, they only yield fresh water during the rains and in the hot weather, no good water is available from them.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is it the member's opinion that no investment need be made on that part of the State for the supply of drinking water to the people?

MR. J. S. WESTERDALE (*Chief Engineer*); What is the meaning of "investment"?

MR. S. KRISHNA PILLAI (*Karunagapalli*): To spend money on what is necessary, namely, supply of good drinking water. I am drawing the member's pointed attention to the locality known as Karunagapalli.

MR. J. S. WESTERDALE (*Chief Engineer*): Is that in the southern portion of the same area?

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know whether the Government proposes to spend any money in whatever form or by whatever means—to supply drinkng water to the people of Karunagapalli?

MR. J. S. WESTERDALE (*Chief Engineer*): So far as I am aware, Government are willing to spend money to a reasonable extent anywhere in the State?

MR. S. KRISHNA PILLAI (*Karnagapalli*): Sinking two deep wells and supplying drinking water by transporting from the eastern portions are the two reasonable suggestions. If all these are impracticable may I know whether there is any other practicable suggestion from the member?

MR. J. S. WESTERDALE (*Chief Engineer*): There are four alternative methods of dealing with the situation. One is sinking a deep well which is a gamble, the second is pumping water from the mainland which is certainly very expensive, the third is to continue the present measure of sinking shallow wells, and the fourth would be to evacuate the population from places where fresh water cannot be obtained in the hot weather. I should have no hesitation in recommending such a proposal to Government.

[Mr. J. S. Westerdale.]

Mr. Kottur Kunjukrishna Pillai raised the point of the Trivandrum water supply. But he did not speak about the full implication of the scheme.

The maintenance of the scheme will be very costly. The expenditure this year for rural water supply is Rs. 12,000. When the Trivandrum water supply is worked out, it will cost five or six times that amount for maintaining it alone. We already have very big financial commitments ahead in the direction of water supply and that is one of the reasons why I say that the resolution, as it is worded, is impracticable. I must report that the proposal has my fullest personal sympathy, and from the records of rural water supply available with me, it has undoubtably had the full sympathy of Government. Provided the resolution is amended recommending that Government will continue to do their best to meet the needs of rural water supply scheme, I have no objection to accept it.

Mr. Thanu Pillai is not here for the moment. I should like to mention with reference to the estimate for the bridge he referred to, that my recollection was that when we first estimated for that bridge there was no question of water supply involved. During the interval I have verified that impression and found that the proposal was put forward merely on the ground of the need for a bridge to get from one side of the canal to the other. The construction had to be postponed for reasons of financial stringency.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : What does the Chief Engineer say about the well at Munambom in the Parur taluk?

MR. J. S. WESTERDALE (*Chief Engineer*) . I remember a reference on the subject but do not remember the details.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Have you prepared an estimate for the same ?

MR. J. S. WESTERDALE (*Chief Engineer*) : I will look into that question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : In view of the fact that the question of water supply has been brought to the notice of Government, will the Government be pleased to construct a bridge between Chackai and Vallakkadavu even this year?

MR. J. S. WESTERDALE (*Chief Engineer*) : I cannot give any assurance to the member. At the present stage, no new works could be taken up.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : But the work has been provided for in the budget.

MR. J. S. WESTERDALE (*Chief Engineer*) : The amount has been surrendered and I have no further power to spend the amount originally provided in the Budget.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Cannot the Chief Engineer ask Government to allot some money by way of supplementary grant in view of the fact that there is scarcity of water on that side ?

MR. J. S. WESTERDALE (*Chief Engineer*): Government themselves can do what they please in the matter in the light of the discussion that is taking place. It is not for me to approach Government in the present financial circumstances.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know how many wells were sunk in south Travancore during 1106?

MR. J. S. WESTERDALE (*Chief Engineer*): I have not got that information now. Wells were sunk by two or three different agencies. The Sanitary Commissioner can dig a well not costing more than Rs. 250. The Revenue authorities dig wells in villages. We dig wells costing Rs. 250 and over. I cannot give you exact figures on this question at the present moment.

Mr. Govindan suggested that a special officer should be appointed to report on the necessity for wells and to select sites. I think there is already an officer for that purpose. It is the duty of the Sanitary Commissioner to do so. What is really needed eventually and must be provided to develop water supply scheme both in municipal and rural areas in this State is that there should be a definite branch of the Public Works Department as is obtaining in Madras. There should be a Sanitary Engineer as he is called in Madras or a Public Health Engineer as he is called in other parts of India whose definite work should be to investigate water supply schemes, follow them up and see that they are carried out. I think one of the principal reasons why wells have not been sunk as quickly as they possibly might have been is the fact that it has been nobody's particular duty to see that it was done. Officers of one department go and inspect places and say a well is necessary here or there. Then an officer of another department inspects and says the site is unsuitable or inconvenient and suggests an alternative site. Then difficulties arise over free offers of land or acquisition of land. There is no definiteness in procedure; and the responsibility for giving effect to the proposals existed in no one department. Therefore, as I said, the real need in regard to the supply of water in this State is that there shall be an officer whose duty will be to investigate and follow up such schemes and press them on to the attention of Government and see that they are carried out.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is the Chief Engineer of the idea that the Sanitary Commissioner......

DEPUTY PRESIDENT: The Chief Engineer says that a special officer should be deputed to go round and select a site and see that the work is carried out. In the State, there is no officer at present to do that work. That is the reason why more wells have not been sunk. That is his opinion.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Cannot the Chief Engineer appoint a special officer for the purpose?

MR. J. S. WESTERDALE (*Chief Engineer*): That is for the Government to do. I have nothing more to say.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): The Chief Engineer has told us what has been done already in the matter in specified areas of Onattukara. After the outbreak of cholera in south Travancore, we pressed on the Government the necessity for giving pure drinking water in coastal villages and, as a consequence, Government were pleased to sanction a certain amount to construct tube wells in coastal areas. Our department made attempts in the direction of constructing tube wells. Before taking coastal villages, tube wells were constructed in two places where important festivals are annually held at Pechippara and Suchindram. At Suchindram two tube wells were dug. One was finished last year and I know that during the festival season there is plenty of good drinking water from that tube well. During the cholera time we supplied good drinking water from Nagercoil by motor lorries.

There was one difficulty in connection with tube wells. Local people never pay any attention in the matter of keeping them safe. They manage to spoil the machines in no time. That is one disadvantage.

Then the question of sinking tube wells in coastal villages was taken up. What we found was, down to 30 feet of depth there was pure water and when dug deeper the water was brackish. So it is suggested by the Chief Engineer that wells alone would serve the purpose *i. e.*, at least in places where tube-wells are a failure. We have agreed to that suggestion. As the Chief Engineer has explained the difficulty of constructing tube wells in coastal districts, I think I need not expatiate on that. Government are fully alive to the necessity of supplying drinking water. It is a big problem. This is a feature of not only one place, but of all parts of the State. There are numerous places without water for drinking purposes. Anyhow, no doubt, as Government are alive to the necessity of supplying drinking water and as they have made some attempts in constructing ordinary or tube-wells at suitable places, as time comes, Government will certainly devote some more attention to this important question. In the light of what has been stated by the Chief Engineer in the course of the discussion, I trust Mr. Asan would see his way to withdraw the resolution on the assurance that Government would look into the matter and do the needful as they are alive to the necessity of good water for rural areas.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*); Does the member realise that the resolution recommends to Government to pay more attention to this matter and as such may I know whether the Government accept the resolution or not?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): The principle of the resolution is accepted so far as ..

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know from the member what is it that is unacceptable in the resolution?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): The necessity for supplying good drinking water is accepted and Government are doing all that they can.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I wish to know whether the Inspecting Medical Officer has ever visited the coastal regions in Karunagapalli.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : No occasion for the same has arisen.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Has any officer in charge of general sanitation and public health in the State ever visited the coastal regions ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : My impression is that villages are being visited by the officers responsible for the same.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Places about which the complaint has arisen—may I know whether these localities have been visited ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : These places were not brought to my notice.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Am I to understand that the member is not in a position to offer any advice in regard to the imminent necessity of doing something in those regions for the sake of the distressed ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : I recognise the necessity for that. But without going to the spot, I cannot suggest measures.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Has the member ever recommended that, in places where good water is not available, water might be transported from those places where available and the cost of transport borne by the Government ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : That was done at Suchindram.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Has the member recommended that with regard to other places ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) Nobody ever drew my attention to that matter.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is it the opinion of the member that Government are at fault for not drawing the member's attention to it ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : I did not say so. The matter was not brought to Government's attention either.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : In places where it is not practicable to afford relief on the lines suggested by the Chief Engineer, will the member approve of the suggestion to grant something in the way of grant-in-aid to those localities ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : I do know how that system would work.

At Suchindram, as a matter of fact, there was every convenience. The entire population is known to us and we managed the construction of a tube well very economically.

MR. S. KRISHNA PILLAI (*Karunagapalli*): That is with regard to Mr. Govindan's wealthy village. What about the poor villages in my place? As a last resort I ask whether Government could not contribute something and undertake to supply water.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): That is a thing which will have to be considered by the Government.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What I ask the member is whether the policy that has been suggested by the member would be extended to the villages of Karunagapalli which for the last so many years is suffering without good water.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): The question has to be examined in all its aspects.

MR O. M. THOMAS (*Kottayam*): I wish the Inspecting Medical Officer to make his position clear. Does he accept the principle of the motion and still oppose it?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): No, I do not.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Then, may I know whether there is any difficulty in accepting the motion as such? What is the meaning of saying that the principle of the motion is accepted and so on?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): I have no objection at all to accept the principle underlying the resolution provided...

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): കൽക്കുളം, വിളവങ്കോട്, ഈ താലൂക്കുകളിൽ എവിടെ എങ്കിലും കിണറു കുഴിപ്പിച്ചിട്ടുണ്ടോ?

DEPUTY PRESIDENT: അതിനെപ്പററി പിന്നീടു പറയാം.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): കൽക്കുളം, വിളവങ്കോട്, എന്നീ താലൂക്കുകളിൽ കാളറ ഉണ്ടായ കാലത്തു ആ സ്ഥലങ്ങൾ പരിശോധിച്ചിട്ടുണ്ടോ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): പരിശോധിച്ചിട്ടുണ്ട്.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): ആ സ്ഥലങ്ങളിൽ കാളറ ഉണ്ടാകാൻ കാരണമെന്താണ്?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): കാളറ ഉണ്ടാകുന്നതു നല്ല വെള്ളം ഇല്ലാത്തതുകൊണ്ടല്ല. എന്നാൽ കാളറ പരക്കുന്നതു നല്ല വെള്ളത്തിൻെറ കുറവുകൊണ്ടാണ്.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*) ആ സ്ഥലങ്ങളിൽ കാളറ ഉണ്ടായ സമയത്തു മെംബർ അവിടെ പോയി അന്നത്തെ പത്മനാഭപുരം മുനിസിപ്പൽ പ്രസിഡൻറുമായി കാളറ പിടിപെട്ട സ്ഥലങ്ങൾ പരിശോധിച്ചു നോക്കിയിട്ടുണ്ടോ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): ഞാൻ പരിശോധിച്ചിട്ടുണ്ട്.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): ആ സ്ഥലങ്ങളിൽ നല്ല വെള്ളം കുറവാണെന്നു മെംബർ അഭിപ്രായപ്പെട്ടിട്ടുണ്ടോ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): നല്ല വെള്ളം കുറവായതുകൊണ്ടാണു കാളറാ പരക്കുന്നതെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടിട്ടുണ്ട്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): നല്ല വെള്ളം കുറവായിരിക്കുന്ന സ്ഥിതിക്ക് ഈ പ്രമേയം സ്വീകരിച്ചാൽ എന്താണ്?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): പ്രമേയത്തെ അനുകൂലിക്കുന്നില്ല. എന്നാൽ നല്ല വെള്ളം എല്ലാ സ്ഥലത്തും ഉണ്ടായിരിക്കണമെന്നുള്ളതു സമ്മതിക്കാം.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): കൽക്കുളം, വിളവങ്കോട്, ഈ താലൂക്കുകളിൽ നല്ല വെള്ളം കുറവായിരിക്കുന്നതുകൊണ്ട് ആ സ്ഥലങ്ങളിൽ കിണറുകൾ ആവശ്യമുണ്ടെന്നറിയാമോ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): എല്ലാ സ്ഥലങ്ങളിലും കിണറുകൾ അത്യാവശ്യമാണ്. ഞാൻ ഒരു താലൂക്കിനെപ്പറ്റി മാത്രമല്ല പറയുന്നതു്.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): കൽക്കുളം, വിളവങ്കോട്, ഈ രണ്ടു താലൂക്കുകളിലും കിണറുകൾ അത്യാവശ്യമാണെന്നറിയാമോ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): അതെ. അവിടെയും അത്യാവശ്യമാണ്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I have only one or two words to say. First of all, I am very happy that my resolution has been so amended as to be applicable to the whole State. The resolution has been framed in order to apply to the coastal *pakuthies* of Onattukara alone, because I knew quite well the urgent necessity for water supply there and because it was agreed both by the Government and by the people that there must be some provision to help the poor people of these localities. Since it has already been agreed that there is necessity for supply of drinking water to the coastal *pakuthies* of those places, I am sure Government will take steps immediately for the purpose of sinking wells,

DEPUTY PRESIDENT: You are now bringing in something which is not in the resolution. You say, 'immediately'. That is a large order.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I did not say "immediately supply drinking water", but only that steps should be taken immediately.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What Mr. Asan meant it is some *tangible* steps, because steps are being taken for the last four or five years regularly without anything tangible resulting.

DEPUTY PRESIDENT: This is the resolution:—

"This Council recommends to the Government that steps be taken to supply good drinking water wherever it is necessary in Travancore".

This is the resolution as amended.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I did not concede that. If steps were being taken at all now, there would not have been any necessity for this resolution.

DEPUTY PRESIDENT: This is the exact language. So do not go beyond that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): We would like to know definitely whether Government accept this resolution or not, and not the principle of the resolution?

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Steps be taken and not merely that.........

DEPUTY PRESIDENT: "Steps be taken", that is the language of the resolution.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That is with regard to coastal regions; and even with regard to the places mentioned by Mr. K. Kunjukrishna Pillai and Mr. Thanu Pillai there is already necessity for water. There is no necessity for a survey as suggested by Mr. Govindan. Steps could be taken for the supply of water in these places and to ascertain the need for a survey of the places in regard to which there is no information. The resolution as amended would read thus:—

"This Council recommends to the Government that steps be taken to supply good drinking water wherever it is not now available".

I do not think that there will be much difficulty in accepting the resolution as a whole without saying that it is accepted in principle, and reserve something else not to be accepted; because we also stated that steps can be taken gradually. We do not expect Government to conduct an immediate survey of the whole State and start the work all on a sudden. All that we suggest is that this must be taken as a definite scheme and Government should work at it. If Government are prepared to accept that, I do not desire to press it to a division.

DEPUTY PRESIDENT: If Government can give an undertaking to take steps—he does not say all at once—to supply good drinking water wherever it is not available, he does not press the resolution to a division. In winding up he was very reasonable. He does not expect you to do the whole thing forthwith. But he expects something to be done within a reasonable period.

MR. J. S. WESTERDALE (*Chief Engineer*): I think there is no harm in giving that assurance. Because it appears to me that as far I can see even now it is their policy.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): So are we to understand that things will go on as it is at present?

DEPUTY PRESIDENT: I will just ask Mr. Westerdale to state definitely whether he can give an assurance that is now asked for, that steps will be taken by Government.

This is the resolution: -

"This Council recommends to the Government that steps be taken to supply good drinking water to the inhabitants of the localities where good drinking water is not available now."

MR. J. S. WESTERDALE (*Chief Engineer*): I feel that I have been called upon to give an assurance on behalf of Government which it is rather difficult for me to give without consulting Government. Because the commitments are so very great. I maintain that Government's policy, which is and has been, for many years, exactly what is required in this resolution, and that all that is required is to call upon officers to see that policy is followed.

DEPUTY PRESIDENT: When official members stand up to speak on any motion, the inference is that they are the spokesmen of Government. Mr. Westerdale has been addressing this Council not merely in the capacity of the Chief Engineer of the State, but as the spokesman of the Government, who has been specially empowered to represent the views of the Government, on this particular resolution. Otherwise, there is absolutely no use in any resolution being carried out or any resolution being withdrawn, that the assurance that is given from the official side is not to be regarded as an assurance given for, and on behalf of, the Government. If you feel that you have not taken definite instructions, that is a different matter. Then say, you have not had definite instructions on that matter, and that therefore on behalf of the Government you cannot give any such assurance. That is intelligible, but you cannot escape your obligation by saying, "I am only the Chief Engineer, I do not represent the Government". But by a legal fiction, we assume that you are representing the Government. The spokesman of the Government need not necessarily be the Dewan. It may be any one of you. You have been authorised by Government to represent them here. In that way any undertaking that you give will be viewed by this House as an undertaking given for, and on behalf of, the Government.

MR. J. S. WESTERDALE (*Chief Engineer*): Will you read out, sir, what he was prepared to accept?

DEPUTY PRESIDENT: This is the resolution in its final form: -

"This Council recommends to the Government that steps be taken to supply drinking water to the inhabitants of the localities where good drinking water is not available now".

[Deputy President.]

Supposing you just take this as the final amendment and form of it, in that broad form, if you say, that this is the policy of Government, what is the difficulty in accepting the resolution?

MR. K. GEORGE (*Chief Secretary to Government*): Is it that steps be taken to supply water all over the State?

DEPUTY PRESIDENT: This resolution does not suggest, that action must be taken in regard to it all over the State. We want an assurance from the Government that the views of the Government are identical with the views of the people as embodied in this resolution. It is therefore that I asked Mr. Asan when he said "immediately", whether he meant that. And with the resources at the disposal of Government, Government may give an assurance that steps will be taken and carried out. Mr. Asan does not authorise you to levy a special cess for the supply of drinking water. However, I only suggested the particular nature of the assurance to be given from the Government Benches, so that Mr. Asan may carry out his promise of withdrawing the resolution in the light of that assurance. He does not want to press it for a division where after all there is no real controversy between the Government and the non-official Benches.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Are we to wait indefinitely, sir.

DEPUTY PRESIDENT: I am the final judge.

MR. J. S. WESTERDALE (*Chief Engineer*): May I explain why I hesitat?

DEPUTY PRESIDENT: I have no quarrel with you, Mr. Westerdale. I only want you to state yourself either way. I only want to know the reply of the Government with regard to the proposal of Mr. Asan in this resolution.

MR. J. S. WESTERDALE (*Chief Engineer*): I think the Dewan may have an assurance to give.

DEPUTY PRESIDENT: We have nothing to do with the Dewan.

MR. J. S. WESTERDALE (*Chief Engineer*): But the President?

DEPUTY PRESIDENT: No other President has any assurance to give to the Council?

MR. J. S. WESTERDALE (*Chief Engineer*): I am afraid I cannot. I am unable to accept the resolution. I would rather leave it to the vote.

DEPUTY PRESIDENT: You oppose it?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes.

The resolution was put to vote and carried.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I demand a poll.

DEPUTY PRESIDENT: Please stand up, those who are for the resolution.

AYES—26.

1. Mr. K. P. Abraham
2. „ S. Chattanatha Karayalar
3. „ A. S. Damodaran Asan
4. „ K. Gopalakrishna Pillai
5. „ M. Govindan
6. „ N. John Joseph
7. „ Joseph Kunju
8. „ K. I. Kocheeppan Mappillai
9. „ K. P. Kochukora Tarakan
10. „ K. Krishnan Nayar
11. „ E. V. Krishna Pillai
12. „ N. K. Krishna Pillai
13. „ S. Krishna Pillai
14. „ Tariatu Kunjitomman
15. Mr. K. Kunjukrishna Pillai
16. „ K. Madhavan Pillai
17. „ K. P. Madhavan Pillai (*Chirayinkil*)
18. „ M. P. Madhavan Pillai
19. „ M. Mahomed Mustapha
20. „ P. S. Mahomed
21. „ Rama Varma Raja
22. „ R. S. Subrahmanya Pillai
23. „ N. A. Sundaram Pillai
24. „ A. Thanu Pillai
25. „ O. M. Thomas
26. „ C. N. Tuppan Namputiripad.

NOES 15.

1. Mr. L. A. Bishop
2. „ I. C. Chacko
3. „ R. Dhanukoti Pillai
4. „ K. George
5. Rao Sahib Dr. N. Kunjan Pillai
6. Mr. E. G. McAlpine
7. „ C. O. Madhavan
8. „ T. K. Madhavan Nayar
9. Mr. R. Nilakanta Pillai
10. „ Kayalam Paramesvaran Pillai
11. „ T. V. Ramakrishna Aiyar
12. Dr. K. Raman Tampi
13. Mr. S. C. H. Robinson
14. „ R. Vaidyalingom Pillai
15. „ J. S. Westerdale

The resolution was declared carried, 26 voting *for* the resolution and 15 *against*.

ABOLITION OF THE NEDUVANGAD TOLL-GATE.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Sir, the resolution that stands against my name, is—

"This Council recommends to the Government that the toll-gate at Neduvangad be abolished from the 1st Chingam 1108."

Sir, there is a general desire on the part of the members on this side of the House that the resolution should be amended so as to embrace all the toll-gates in the State, so that, the resolution as amended, would read——

"This Council recommends to the Government that toll-gates in Travancore be abolished."

DEPUTY PRESIDENT: It is a large order.

MR. K. GEORGE (*Chief Secretary to Government*): We should have notice of such an alteration.

DEPUTY PRESIDENT: That is why I am telling him it is a large order.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is going far beyond the scope of the resolution.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): May I ask your permission, Sir?

DEPUTY PRESIDENT: I think, you know, it won't be fair for me to allow you.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): It was allowed in the case of the previous resolution, Sir.

DEPUTY PRESIDENT: This is something fundamentally different. You see the point is on the question of the supply of drinking water there cannot be differences of opinion. On the desirability of abolishing toll-gates, there may be reason for abolishing a few and there may not be reason for abolishing all. The one is a question of principle and the other the details of a particular toll-gate. You cannot say that the amendment now proposed is identical with the amendment permitted in the case of the earlier resolution. There may be special circumstances why a particular toll-gate should be abolished. That is something fundamentally different from saying that, as a matter of principle, toll-gates must be abolished. There you are discussing the question of principle. In the resolution you wanted only to ask the details of the special circumstances of the toll-gate at Neduvangad though, on general principles, you are for the existence of the other toll-gates. I do not permit it.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know, Sir, whether in discussing the resolution, other members are allowed to refer to other toll-gates?

DEPUTY PRESIDENT: I won't insist that as a ruling. As you go on if it strikes me that you are not going far away from the track, I will allow it.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): Sir, I move my original resolution that "this Council recommends to the Government that the toll-gate at Neduvangad be abolished from the first of Chingam 1108."

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): We can't hear, Sir.

DEPUTY PRESIDENT: Speak a little louder, please.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Will you please ask Mr. Robinson also to speak a little louder?

DEPUTY PRESIDENT: When he stands up, I will communicate your request to him.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): Sir, there is a general feeling everywhere that the toll-gates involving, as they do, a collection of tax on the roads or on bridges constitute an

abnoxious form of taxation and that they should all be abolished. In response to the public opinion in this matter almost all the civilized Governments have adopted legislation to abolish toll-gates. I will not labour this point any further, but I will proceed forthwith to the particular toll-gate.

My special grounds in favour of this resolution are these. Taking Trivandrum as the centre, there are several roads radiating from Trivandrum, *viz.*, the Trivandrum-Nagercoil road or the Main Southern road, the Main Central road, from Trivandrum to the north-western outlet, the Trivandrum-Quilon road and the Trivandrum-Shencotta road.

On the Main Southern road, there is a toll-gate near Kuzhittura, about 20 miles off from Trivandrum. Then there is a toll-gate on the Trivandrum-Quilon road. It is about 30 miles off.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Is there not a toll-gate at Attingal?

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): It is a municipal toll-gate and it is not under consideration now.

Then there is a toll- gate on the Main Central road near Adur. It is about 50 or 60 miles off. There is another toll-gate on the Trivandrum-Shencotta road, at Neduvangad which is only 12 miles off. I do not see any special reason why there should be a toll-gate within 12 miles on this road whereas on the other roads the toll-gates are at least 20 miles off. This is my first ground in favour of the resolution.

My second ground is that Neduvangad being so close, and Neduvangad taluk being part of the Trivandrum Revenue Division and being situated so close to the capital of Travancore, people have to go very often—I mean every day to Trivandrum—either on court business or in connection with other avocations in Trivandrum. Necessarily then, it imposes a burden out of all proportion to their interests, upon the people of Neduvangad, every time they come to Trivandrum. This is an unfair burden.

Thirdly, people of Trivandrum, who have very often to go to Neduvangad, possessing as they do, estates and other properties in Neduvangad, are subject to a burden every time they go there.

MR. K. GEORGE (*Chief Secretary to Government*) : Is it the member's proposition that it should be shifted from there?

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): The wording of the resolution gives the answer.

MR. K. GEORGE (*Chief Secretary to Government*) The argument is for shifting.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : I have no objection to the toll-gate being shifted further off.

DEPUTY PRESIDENT : Further north?

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Further east, on the road. Then, the condition of this particular road, when compared with the other roads radiating from Trivandrum, is very miserable.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Is the member not for the abolition of the toll-gate altogether?

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): I am for the Abolition of the toll-gate at Neduvangad.

MR. A. THANU PILLAI (*Trivandrum*): Is the member anxious that the toll-gate should be shifted to some other place?

DEPUTY PRESIDENT: In answer to the question of the Chief Secretary, he says, he has no objection to shift it further off. The question of the Chief Secretary naturally arises from the position taken up by the member.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): If Government choose, principally in view of the financial condition of the State, to shift it to some distance further off, I shall have no objection.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Has the member any objection in having a toll gate at Venjaramoodu or Vamanapuram?

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) It must be at least 20 miles off from Trivandrum.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Vamanapuram is 20 miles off.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): I shall have no objection. On these three grounds I beg to move this resolution.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I second the resolution, Sir.

In speaking about the hardships that are being caused by toll-gates, I believe I am but the highest authority in that respect, because, I experince the sevarest difficulty. I come from a place which is subjected to the severest hardship by tyranical, persistent, anomalous and misplaced toll-gates. I interpellated the Government on this particular question, as if it were a question which is beyond the purview of this Council. It was disallowed. Sir, you will fully sympathise with me when I say about the condition of the Adur toll-gate.

DEPUTY PRESIDENT: I allow you to condemn toll-gates generally. If you go into details in regard to particular toll-gates other than that of the resolution, I do not allow you.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I am not going to refer to any other toll-gates. (*Laughter*).

DEPUTY PRESIDENT: That is unfair to him.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): It has some relevancy in the consideration of the fact whether it is necessary that the Neduvangad toll-gate should be abolished or removed further off. I fail to see why Government should fight shy of this question. Whenever they are asked about this they fight shy. I think a resolution was passed in this Council to the effect that all toll-gates should be abolished. Not only that the Government do not pay any heed to the

resolution, but they have added to the difficulties of the travellers by adding further complication to the question. As the discussion is ordered to be limited to a particular toll-gate, which is at Neduvangad and which, unfortunately, the mover himself wants only to be shifted further off, I am sorry I am not allowed to travel beyond my province. Anyway, Government should bear in mind that the most arbitrary and confidential way in which they are dealing with the question of the toll-gate at Adur is something which has already given room for much dissatisfaction for the people not only there, but for all those who have occasionally been put to the necessity of travelling by that road. With these words I support the resolution.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I find it absolutely impossible for me to give my support to this resolution in view of the interpretation given to it by the mover.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): Interpretation or amendment ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Interpretation.

I think no purpose would be served by this resolution. After all the problem is that the toll-gate is to be shifted from within fourteen miles to about thirty miles from Trivandrum. By such shifting, if the people of Neduvangad would be satisfied, if the people of Trivandrum who own property at Neduvangad, would be satisfied, some other people would be affected. It is immaterial whether it affects the people who go to Neduvangad often or whether it affects other people. The question is mainly one of principle. From my friend's argument it would seem that there must be some sort of equidistance between toll-gates. That seems to be the only principle underlying my friend's resolution as it stands interpreted by him now. But, he premised his remarks by referring to the obnoxious nature of tolls. If he had persistently and logically pursued that line of thought, the whole House would have supported him. Now, the resolution has whittled down to nothing. I do not say there is nothing to support the resolution. I find it absolutely difficult to support it as it does not stand for any principle, except the principle of equidistance which I do not know how far is valuable in the interests of the public. How is public interest going to be served by this principle of equidistance ?

I do not wish to say anything further on the resolution.

DEPUTY PRESIDENT: So, you oppose the resolution ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Yes, Sir.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): നെടുമങ്ങാട്ടുള്ള ടോൾഗേററു നിർത്തിക്കളയണമെന്നുള്ള പ്രമേയത്തെ ഞാൻ അനുകൂലിക്കുന്നു. എന്നാൽ ആ ടോളിനെ വേറൊരിടത്തു മാററിസ്ഥാപിച്ചാൽമതി എന്നുള്ള അഭിപ്രായത്തോടു് ഞാൻ യോജിക്കുന്നില്ല.

DEPUTY PRESIDENT: അതു പ്രമേയത്തിൽ ഇല്ലാത്തസംഗതിയാണ്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): എന്നാലും പ്രമേയകർത്താവിന്റെ പ്രസംഗത്തിൽ വന്നു. ആ അഭിപ്രായത്തോടു എനിക്കു് അനുകൂലിക്കാൻ നിവൃത്തിയില്ല. ഒരു വഴിയിൽ കിടക്കുന്ന മുള്ളിനെ മറെറാരുവഴിയിൽ മാററിയിടുന്ന വ്യത്യാസമേ ഇതിനൊള്ളു. ഈ രാജ്യത്തു ടോൾ ഒന്നുംതന്നെ പാടില്ല എന്നു് ഒരു പ്രമേയം ഇവിടെ പാസ്സാക്കിയിട്ടുണ്ടു്. ആ തരത്തിലുള്ള ഒരുപ്രമേയം പാസ്സാക്കുന്നതിനു തക്ക സാഹചര്യം ഇപ്പോൾ ഇല്ലെങ്കിൽ അതു് ഒരുവഴിയിൽനിന്നും പോകട്ടെ. അതിനെ മറെറാരു സ്ഥലത്തു വച്ചുകൊള്ളാം എന്നുപറയുന്നതു് കഷ്ടമാണ്. ടോൾഗേററുകൾ എല്ലാംതന്നെ നിർത്തണമെന്നുള്ള ഒരുപ്രമേയം കൊണ്ടുവന്നു കാര്യകാരണസഹിതം ഇവിടെ പ്രതിവാദിച്ചു പാസ്സാക്കീട്ടുണ്ടു്. ഗവമെൻറു അതിനെ അവഗണിച്ചിരിക്കുന്നു. ഈരാജ്യത്തു് ഒരൊററടോളും പാടില്ല എന്നു് റസല്യൂഷൻ പാസ്സാക്കിയിരിക്കെ ഒരു ടോളിനെ മാററി സ്ഥാപിക്കണമെന്നു് ഈ സഭയിൽ പറയുന്നതു് ശരിയല്ല. ടോൾഎല്ലാം തന്നെ നിർത്തേണ്ടതാണ്. അല്ലാതെ ഒരു ടോളിനെ അങ്ങോട്ടോ ഇങ്ങോട്ടോ മാററിയാൽമതി എന്നുള്ള ഒരു അഭിപ്രായം ഈ കൌൺസിലിനു് ഉണ്ടെന്നു വരുത്തുന്നതു് കഷ്ടമാണ്. അതുകൊണ്ടാണ് അതിനോടു് അനുകൂലിക്കാൻ നിവൃത്തിയില്ല എന്നുപറയുന്നതു്. അങ്ങനെ ഒരഭിപ്രായം ജനങ്ങൾക്കില്ല. ജനാഭിപ്രായത്തെയാണ് ഞങ്ങൾ ഇവിടെ പ്രതിദ്ധ്വനിപ്പിക്കുന്നതു്. ഒരു ടോളിനെ മാററി സ്ഥാപിക്കണമെന്നുള്ളതു് ജനാഭിപ്രായത്തിനു വിരുദ്ധമാണ്. എന്നാൽ ഒന്നിനെ നിറുത്തണമെന്നു പറയുന്നതു എല്ലാം നിറുത്തണമെന്നു പറഞ്ഞിട്ടുള്ളതിനു വിരുദ്ധമല്ല. അതിനാൽ ഈ രൂപത്തിൽ ഈ പ്രമേയത്തെ അനുകൂലിക്കാൻ നിവൃത്തിയില്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I wish to know whether the alternative proposal of shifting the toll gate.........

DEPUTY PRESIDENT: That does not form part of the resolution nor has it been placed before the House. The House is concerned with the words contained within the four corners of the resolution that has been formally moved by Mr. Karayalar. Any observations placed before the House by way of discussion should not, in the matter of voting, be considered as part of the resolution.

MR. A. THANU PILLAI (*Trivandrum*): I support the resolution. I also understood the observations on the resolution as the learned Deputy President has been kind enough to explain. The resolution merely says

that the Neduvangad toll-gate must be abolished. In moving the resolution, the mover advanced certain arguments which, probably, go very strongly in favour of the gate being transferred to some other place; and, from the Government Benches a question was put to the mover whether he would be satisfied if the gate was shifted to some other place further off from Trivandrum. The vigilant Government members are always watchful, and opportunity has been taken to make the best use of the argument advanced by the mover. That does not mean that the resolution before the House means anything other than the *abolition* of the Neduvangad toll-gate which alone it recommends.

Sir, in regard to the *abolition* of the Neduvangad toll-gate, Neduvangad is even now one of the backward parts of the State in many respects.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): തിരുവിതാംകൂറിലുള്ള മററുതാലൂക്കുകൾഎല്ലാം ബാക്കവേർഡ് ആണോ?

MR. A. THANU PILLAI (*Trivandrum*): എന്നല്ലപറയുന്നതു; മററു സ്ഥലങ്ങളെക്കാൾ കൂടുതൽ എന്നേ പറയുന്നുള്ളൂ.

The country is now being opened up, and many people from the town of Trivandrum and the neighbouring places have to go to Neduvangad very often, as has been stated by Mr. Karayalar. Now, for travelling a distance of 10 or 12 miles, that a person should be asked to pay a toll is really very objectionable. From that it does not mean that the gate should be shifted to some other place. That does not follow at all. The resolution, as I have already pointed out, is concerned only with the abolition of the toll-gate at Neduvangad. We will deal with the toll-gate at Vidurai, or some other place further off on the road, when one is established there. My point is that the Chief Secretary was not right in putting that question to Mr. Karayalar. Why should we bring in irrelevant matter now ?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Was not the question justifiable considering the fact that the mover was speaking of the distance of the toll-gate, from Trivandrum, as one of the chief reasons why the gate should be abolished ?

MR. A. THANU PILLAI (*Trivandrum*): He began by referring to the nearness of the toll-gate to Trivandrum. Subsequently, he dealt with other grounds also.

DEPUTY PRESIDENT: It is too late now for you to raise the relevancy of the question, Mr. Thanu Pillai.

MR. A. THANU PILLAI (*Trivandrum*): Suppose, I have to go to Vattiyoorkavu every day. Why should I be asked to pay toll ? That is an argument which I can certainly raise in support of the abolition of a toll-gate, if one is established within a mile or two from Trivandrum. When I say, " I have to pass it every day; it is very near Trivandrum; it is hard that I should be asked to pay toll every day; the gate must therefore be removed", it is irrelevant to ask me " Suppose the gate is shifted from that place and located in a place three miles away from here; have you any objection ?"

[Mr. A. Thanu Pillai.]

Further, in the case of Neduvangad, it appears there are toll-gates on either side of the place, so that people going to Neduvangad from this side or from the other have to pay toll. As was pointed out by my friend, Mr. Kunjitomman, the bigger question, of the abolition of tolls altogether, has been discussed here and a resolution to that effect has been carried. That being the case, now, to come and say 'Abolish the toll gate at Neduvangad.' is not quite consistent with the position the House has once accepted on the matter.

DEPUTY PRESIDENT: You may take it that Mr. Karayalar is satisfied with one anna in the rupee.

MR. A. THANU PILLAI (*Trivandrum*): That is an unfortunate circumstance. Anyhow, that is where we are. But, my position is this. We want all the toll-gates in the State to be abolished. Fortunately or unfortunately, rightly or wrongly, the Government have got the power to give effect to our recommendation or not. Somehow, Government seem to think that they do not wish to accept our recommendation. In that circumstance, we now come forward and make the request 'At least abolish the Neduvangad toll Gate'. That does not at all mean that we go back upon our original proposition in support of the abolition of all the toll-gates in the State. Anyhow, in regard to our original proposition, Government seem to take time. If I ask them what they have done with our resolution for the abolition of tolls, they may say 'We are *considering* the question'. So far as I know, they have not told us that they have definitely decided not to accept our former resolution for the abolition of tolls. Now, what Mr. Karayalar says is that the Neduvangad toll gate must be abolished. Seeing that the contract for the year has been entered into, and realising that it would not therefore be right to ask the Government to abolish the gate immediately, Mr. Karayalar has very reasonably worded his proposition and has recommended to Government the abolition of the gate only from the beginning of 1108. That is one of the reasons why the Government must readily accept the proposition; because, the non-official members have appreciated the difficulties of the Government in the matter. Mr. Karayalar is so reasonable—I must say 'unreasonably reasonable'. He wants the Neduvangad toll gate to be abolished only from the 1st of Chingam, 1108. My point, therefore, is, at least let one of the several sources of evil be over. On that solitary ground, I support the resolution. I hope the Government will find their way to accept the resolution.

MR. J. S. WESTERDALE (*Chief Engineer*): Sir, I oppose the motion. I must first say a few words on the general question, as it seems impossible to separate it from the specific question that has now been raised.

Sir, on the general question, it is mainly a question of revenue. Other places have abolished tolls. But they have not done so without substituting some other form of revenue. This Government have been carefully watching what has been happening in the neighbouring

Presidency of Madras ; and the Government have asked me definitely to enquire into the possibility of introducing here an Act similar to the Madras Act.

DEPUTY PRESIDENT: The Madras Act has given rise to more serious complaints than those against the tolls.

MR. J. S. WESTERDALE (*Chief Engineer*): Exactly. So far as we can judge, that Act in Madras has been a dismal failure, and the Government of Madras have recently appointed a committee to enquire into the question for the purpose of amending it. And, some people even think of abolishing it altogether. Anyway, whatever may be the result of that enquiry in Madras, it is a dangerous policy to abolish one means of taxation before you have decided upon another means of bringing in the necessary revenue.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Regarding the peculiar feature of the Adur toll-gate............

DEPUTY PRESIDENT: Please wait, Mr. Krishna Pillai, do not disturb the current of his thought. I shall allow you to ask the question later.

MR. J. S. WESTERDALE (*Chief Engineer*) : There might possibly be a reply to that. I do not think, it can possibly be suggested that the toll-gates could be abolished without regard to the loss of revenue. Our income from toll-gates in the year 1106 was a little over five lakhs of rupees; and our expenditure on maintenance of roads – not new roads—was Rs. 10,35,000. It would be a very difficult matter for the Government to find out money for the maintenance of roads if some other source of revenue is not introduced before the tolls are abolished.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Are the Government getting any contribution from the British Government on account of the enhancement of the duty on petrol ?

MR. J. S. WESTERDALE (*Chief Engineer*) : The Government are entitled to a contribution; and they definitely expect to get it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Have they not received anything so far ?

MR. J. S. WESTERDALE (*Chief Engineer*) : As far as I know, they have not yet received anything. We have been told that our share would amount to about Rs. 2,72,000 for the last two years or three years; I am not quite sure on that. There is a little vagueness about it. The year 1928 is referred to in the correspondence. The Government of India are in arrears in the payment of this dues to us; because, they have not yet decided upon the exact method of apportionment.

So, assuming that it is for two years that we are going to get about Rs. 2,72,000 the annual income that we can expect from that source is only about Rs. 1,36,000. It is doubtful whether this grant will go towards our expenditure on the existing roads or whether it would have to be spent on additional works. That remains to be seen.

[Mr. J. S. Westerdale.]

No doubt, the Government of Travancore takes the view that it should go into our general revenue for the purpose of making roads. But, in any case, it is a small amount compared with our expenditure on road maintenance. Sir, when I stated that our expediture on road maintenance was Rs. 10 lakhs and odd, I do not take into account our expenditure on new roads and new bridges to which the Government of India grant would be the legitimate source. As we may have to spend that money on new works, I think, we cannot regard it as a new source of revenue at all. It must be spent on new works. Considering that, I think the House must admit that we cannot abolish tolls without introducing some other form of revenue. I may say that the Government really share the view of the House that the tolls should be abolished if it can possibly be done. That is their declared policy.

Now, coming to the specific question, let me first finish the question with regard to the Adur Toll-gate which was incidently raised by one of the members. Personally, I cannot see what greater hardship there is at Adur alone than there is in any municipal area surrounded by toll-gates. Adur is practically a municipal area though it has not been actually declared as such. And, the people living in Adur can compound the tolls levied there in the same way as the people living in municipalities.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is the Chief Engineer aware that the lessee of the Adur Toll-gate keeps about four branches of his toll-gate in four different places, three or four miles form the central toll-gate?

MR. J. S. WESTERDALE (*Chief Engineer*): I am aware of that fact. All those gates have been established with the approval of the Government.

MR E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know the reason for that peculiar state of affairs with reference to Adur alone? Is there any other similar instance of a place being surrounded by four toll-gates, except the municipal toll-gates with which the Government have no concern?

MR. J. S. WESTERDALE (*Chief Engineer*); There are several by-roads around Adur by which the toll could be evaded. That is why the lessee has been allowed to have his branches at all road junctions around Adur.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is not the toll-gate there intended for the main road?

MR. J. S. WESTERDALE (*Chief Engineer*): I do not think so.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I am sorry the member has not understood my question. Is it not the Adur toll-gate intended for the Main Central road?

MR. J. S. WESTERDALE (*Chief Engineer*): It is a source of Government revenue; and the Government have done their best to realise as much as possible.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know the names of the roads for which the toll-gate at Adur is intended ?

MR. J. S. WESTERDALE (*Chief Engineer*) : Kayankulam-Pantalam road and the Main Central road.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I take it that the member is concluded from further adding on to the list of roads ?

MR. J. S. WESTERDALE (*Chief Engineer*) : Not at all.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : What has he to say about the Ezhankulam-Kaippattur road, the Parakod-Vadakedattukavu road and the Velarankuni foot-path which is a cart road?

MR. J. S. WESTERDALE (*Chief Engineer*) : These are all feeder roads for the other two main roads I have mentioned. I have already stated, Sir, that the Adur Toll-gate is also a source of Government revenue, and that therefore it has been placed in the most convenient position to get as much as possible.

MR. E. V. KRISHNA PILLAI ((*Kottarakara* cum *Kunnattur*) : I submit, by referring me to his answer to the general question of the abolition of tolls, the member is dragging me off the track.

Are there not other places, in Travancore, with so many road junctions all round ?

DEPUTY PRESIDENT : You raised a certain question and the Chief Engineer has answered it. The question of the abolition of the Adur Toll-gate is not now before the House. You wanted permission to ask the Chief Engineer, in a general way, about the difficulties experienced by the people of Adur on account of the toll-gate there. You think it is intended for the Main Central road. He says it is not so and that it is a source of Government revenue. I do not think you can pursue the question further.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : With your permission, Sir, if the Chief Engineer, in answer to my question, gives me a most untenable reason, am I not entitled to pursue my question further ?

DEPUTY PRESIDENT : Not in the course of *this* discussion.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : So, he can escape even if he says that the Adur Toll-gate is situated in the middle of the Bay of Bengal ?

DEPUTY PRESIDENT : But the question now before the House is the abolition of the Neduvangad Toll-gate and not the abolition of the Adur Toll-gate.

MR. J. S. WESTERDALE (*Chief Engineer*) : Sir, with regard to the abolition of the Neduvangad Toll-gate, the general principle applies here also. It is a very bad policy to abolish a source of revenue without introducing a new source of revenue instead. The Neduvangad Toll-gate brought about Rs. 21,000 last year. This year it brings only Rs. 14,000 and odd. The revenue from toll-gates is going down from year

[Mr. J. S. Westerdale.]

to year. The total revenue from tolls has dropped from Rs. 5,14,000 last year to Rs. 3,87,000 this year, while the length of roads remains the same and therefore the cost of maintenance also remains the same. There is a fall in one source of our revenue; and the cost of maintenance of roads is steadily increasing on account of the increase in the number and length of our roads. I must appeal to the reasonableness of the House and request them not to recommend the abolition of a source of revenue until we can think of some other source of revenue as a substitute.

One specific point was raised by Mr. Kunjukrishna Pillai about the futility of the argument against the distance of the Neduvangad Toll-gate from the Trivandrum town. I may say that it has been recognised as a principle in Madras—I may apologise to the House for having referred to Madras so often; I do it because I have had my experience there, and, I think, in some respects what they do there *is* of real value—that toll-gates on main roads must not be nearer than twenty miles and that the District Board toll-gates must not be nearer than ten miles to the municipal toll-gates. So, the question of distances in regard to toll-gates is really a question of principle. I oppose the resolution only on the general ground that this House should not attempt to destroy any source of Government revenue particularly at this time of deficit.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Sir, the main objection, as I understand, raised by the Chief Engineer, was that the abolition of this particular toll-gate would involve loss of revenue to the extent of about Rs. 14,000 out of a total of Rs. 3,87,000 from tolls. Rs. 14,000 is a very insignificant sum compared to the total income from tolls. The loss therefore cannot form a big problem so far as the Government are concerned. The sacrifice that the Government would have to make is very small compared with the convenience that would be afforded to the people by the abolition of the toll-gate.

Coming to the objection which was raised by my friend, Mr. Kunjukrishna Pillai, his objection was not against the wording of the *resolution*, which alone the House has to consider and vote upon, but against one of the many *arguments* which I raised in support of the resolution. This House has to go by the resolution that has been placed before it and not by any suggestion or statement made in the course of the discussion by any member on this side of the House or on the other side. The House should not be guided by any argument advanced or any interpretation made by any member. As a matter of fact, there was no interpretation by me. It was only by way of an answer to a question put to me by the Chief Secretary that I stated that I had personally no objection to the gate being shifted to some place farther off from Trivandrum. When a gate is established somewhere else, then it would be time enough for us to oppose it.

MR. S. KRISHNA PILLAI (*Karunagapalli*): At that time, I suppose the member would vote with us.

DEPUTY PRESIDENT: Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): So, he would not be consistent with his present position.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): I simply said that, as things stand at present, I would rather have the toll-gate in some other place farther off from Trivandrum than at Neduvangad and that the gate must somehow disappear from Neduvangad. That was my main point. It does not mean that I must be committed to that opinion for all time to come. We need oppose it only when a toll-gate comes to be established at some other place on the road.

So far as I am able to see, these are all the objections raised against the resolution. In view of the explanation I have now offered, I hope Mr. Kunjukrishna Pillai also would join with me and support the resolution.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): A word of personal explanation, Sir. While dissociating myself from the view expressed by Mr. Karayalar with regard to his acceptance of the suggestion of the toll-gate being shifted to some place farther off from Trivandrum, I now find that there is no need to oppose the *resolution* as it is worded. I therefore withdraw my opposition and lend my support to the resolution as it is worded.

DEPUTY PRESIDENT: It is not a question of personal explanation. You are making your position clear.

MR. J. S. WESTERDALE (*Chief Engineer*): I may say a word about the comparison between the income from the Neduvangad Toll-gate and the total income from tolls, and the statement by the mover that the former is comparatively insignificant. If this toll-gate is abolished because the revenue from it is only Rs. 14,000, other representations would be coming forward from other localities where the income from tolls is equally small. There are gates which fetch 20,000, 27,000 and even 6,000.

DEPUTY PRESIDENT: But Mr. Karayalar did not rest his case on this point alone. His case was rested on the question of distance also, among other points.

So, you do not accept the resolution, Mr. Westerdale?

MR. J. S. WESTERDALE (*Chief Engineer*): No, Sir.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): I press the resolution.

The resolution was put to vote and carried.

REMISSION OF LAND REVENUE.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I beg to move the following resolution:—

"This Council recommends to the Government that, in view of the present economic depression, 50 per cent. of the land revenue for 1107 be remitted."

[Mr. A. S. Damodaran Asan.]

Sir, I do not want to make a long speech. It is admitted that there is economic depression in the country and this matter has been brought to the notice of this Council and the Government at the last Budget discussion and I moved a resolution during the discussion in which it was pointed out by most of the members that it was absolutely necessary that some relief should be given to the agricultural population in the land. The same matter was discussed day before yesterday in this Council and many arguments in support of my resolution were advanced at that time. In view of the fact that there is very little time, I move this resolution for the consideration of the House for the reasons which had been advanced on those occasions also. With these words, I place the resolution for the consideration of the House.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*) : സർ, ഇപ്പോഴത്തെ സാമ്പത്തികാധഃപതനത്തെ പരിഗണിച്ച് ൧൧൦൬-ലെ ഭൂനികുതിയിൽ ൨൦ ശതമാനം കുറയ്ക്കണമെന്നുള്ള മിസ്റ്റർ ദാമോദരൻ ആശാന്റെ പ്രമേയത്തെ ഞാൻ അനുകൂലിക്കുന്നു. രാജ്യത്തിലെ ഉൽപന്നങ്ങളുടെ വില കൂടുതലായിരുന്നകാലത്ത് കണ്ടെഴുത്ത് നടത്തി; അതനുസരിച്ച് നിശ്ചയിച്ചിട്ടുള്ള ഭൂനികുതിയാണ് ഇപ്പോഴും പിരിച്ചുവരുന്നത്. അക്കാലത്തെ ജീവിതാവശ്യത്തിനു ഇപ്പോഴുള്ളതുമാതിരി ആവശ്യം ഉണ്ടായിരുന്നില്ല. ഇപ്പോഴത്തെ ജീവിതാവശ്യങ്ങൾ വളരെ വളരെ വർദ്ധിച്ചിരിക്കുന്നു. ഉൽപന്നങ്ങൾക്കു വില വളരെ കുറയുകയും ജീവിതാവശ്യങ്ങൾ വർദ്ധിക്കുകയും ചെയ്തുകൊണ്ടിരിക്കുന്ന ഈ കാലത്ത് ജനങ്ങളുടെ ദാരിദ്ര്യത്തെ കുറയ്ക്കുന്നതിന് ഭൂനികുതിയിൽനിന്നും ൨൫ ശതമാനം കുറയ്ക്കണമെന്നുള്ള അഭിപ്രായത്തെ ഞാൻ അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഞാൻ ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്നു. കഷ്ടപ്പെട്ടുകൊണ്ടിരിക്കുന്ന കൃഷിക്കാരുടെ രക്ഷയ്ക്കായി വലിയ ഒരു സഹായം അഭ്യർത്ഥിക്കുന്ന ഒരു പ്രമേയമാണ് ഇതു്. ജനങ്ങളുടെ സ്ഥിതി ഏററവും പരിതാപകരമാണെന്ന് ഇന്നലെ ഓരോ സംഗതികളെപ്പററി വിമർശിച്ചപ്പോൾ പല മെമ്പറന്മാരും വ്യക്തമാക്കിയിട്ടുണ്ടു. ആർദ്രബുദ്ധിയോടുകൂടി ഈ കാര്യം വീക്ഷിക്കുന്ന എല്ലാവർക്കും ഇതു് അറിയാവുന്നതാണ്. എന്നാൽ ഇങ്ങിനെ ചെയ്താൽ പണത്തിനു ഗവണ്മെൻറ് എന്തുചെയ്യുമെന്നാണ് ചിന്തിയ്ക്കേണ്ടതു്. ജനക്ഷേമത്തിനാണ് പണം. പണം എവിടെ എന്നു ചോദിക്കുമായിരിക്കാം. എന്നാൽ ജനക്ഷേമം എവിടെ? ജനങ്ങളുടെ ക്ഷേമത്തിനാണ് ഗവണ്മെൻറിലേക്കു നികുതികൊടുക്കുന്നതു്. ജനങ്ങൾ കഷ്ടപ്പെട്ടുകൊണ്ടിരിക്കുമ്പോൾ പണം എന്തിനാണ് വച്ചുകൊണ്ടിരിക്കുന്നതു്? വലിയ ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളം ക

റച്ച് ഈ വിഷമത്തെ പരിഹരിക്കണം. എല്ലാഡിവിഷനിൽനിന്നും അംഗങ്ങളെ തിരഞ്ഞെടുത്ത് ഒരു കമ്മിററി സംഘടിപ്പിച്ച് അവരുടെ അഭിപ്രായം അറിഞ്ഞ് അതനുസരിച്ച് ഉദ്യോഗസ്ഥന്മാരുടെ എണ്ണവും ശമ്പളവും ഉടനെ കുറയ്ക്കണം. പ്രധാനപ്പെട്ട എല്ലാസമുദായങ്ങളിൽനിന്നും കമ്മിററിയിൽ അംഗങ്ങൾ വേണം. അല്ലാതെ ചിലവുചുരുക്കി രാജ്യത്തിന്റെ ചില ഭാഗങ്ങൾക്കൊ ചില സമുദായങ്ങൾക്കൊ ദോഷം വരുത്തരുതു. ഗവണ്മെന്റിനെ സഹായിക്കണം, ഗവണ്മെന്റ് സുരക്ഷിതമായിരിക്കണം എന്നാണ് പബ്ലിക്ക് വിചാരിക്കുന്നതു്, അല്ലാതെ ഗവണ്മെന്റു ഒരുവിധത്തിലും ക്ഷയിക്കണമെന്നല്ല. ഗവണ്മെന്റിന്റെ സാമ്പത്തികനിലയെ പരിരക്ഷിക്കുന്നതിനാണ് ഈ മാതിരിയുള്ള ആനുകൂല്യങ്ങൾ ജനങ്ങൾക്ക് ചെയ്തുകൊടുക്കണമെന്ന് ചൂണ്ടിക്കാണിക്കുന്നതു്. ജനങ്ങൾ നല്ലനിലയിലിരുന്നാലെ ഗവണ്മെന്റിനും നല്ലനിലവരു ജനങ്ങൾ അതിലേക്കു ചൂണ്ടിക്കാണിക്കുന്നു. ആ മാൎഗ്ഗങ്ങളിൽക്കൂടി ഗവണ്മെന്റ് പ്രവൎത്തിക്കണം. ഈ പ്രമേയത്തെ ഗവണ്മെന്റിൽനിന്നും സ്വീകരിച്ചു ൫൦ ശതമാനം നികുതി ഉടനെ കുറയ്ക്കണമെന്ന് ഞാൻ ജനങ്ങൾക്കുവേണ്ടി ബലമായി ഉൽബോധിപ്പിച്ചുകൊള്ളുന്നു.

MR. K. GEORGE (*Chief Secretary to Government*): Sir, Mr. Asan has moved a very important and drastic resolution for the acceptance of this House. It is nothing less than the remission of 50 per cent. of the land revenue of the State. Two days ago, when the adjournment motion was moved in this House, the Financial Secretary explained very clearly to the House the present financial position of the Government. He said that the year 1106 closed with a deficit of 12 lakhs of rupees and he feared that this current year for which he had anticipated a very small surplus is going to end in a rather colossal deficit, something to the tune of 15 to 20 lakhs. Now, Sir, that is a position which this House cannot view with equanimity. The financial position of the Government should be a matter of the gravest concern not merely to the Government, but to this House as well, because it is on that that all the activities of the Government depend. Mr. Kunjitomman was asking why Government have reserves? Sir, a succession of two years of deficit would wipe out our reserves. We have got some reserves, no doubt. But to a large extent they are in the Government of India Securities which have depreciated considerably in recent years. So it would be disastrous to sell our reserves now.

Then another way of getting money is to borrow. Borrowing for current expenses is obviously undesirable. We might borrow for capital expenditure. But borrowing for current expenses will be disastrous. It would be adding to the dead-weight debt. Further, who is to repay the amount borrowed? It is the tax-payer who has to find the annual interest.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Why is it that Government wanted to take from normal revenue for starting extravagant works such as the Railway and the Water Supply?

DEPUTY PRESIDENT: That does not arise.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I say that the deficit came in because the Government went on spending from the normal revenue when they ought to have gone in for borrowing.

MR. K. GEORGE (*Chief Secretary to Government*): When the markets for securities improve we can utilise our reserves and spend them for reproductive capital expenditure.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Is it not to meet contingencies that we have these reserves?

MR. K. GEORGE (*Chief Secretary to Government*): You can use it for emergencies like famine.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Have the Government pledged their Government of India Securities and borrowed money?

MR. K. GEORGE (*Chief Secretary to Government*): They did it some years ago.

MR. S. KRISHNA PILLAI (*Karunagapalli*): This year?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Absolutely nothing.

MR. K. GEORGE (*Chief Secretary to Government*): There is a great deal of danger in borrowing money for current expenses. As it is dangerous for private individuals to borrow for household expenses so is for the Government to borrow money for their current expenses.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): They use their savings in days of scarcity.

MR. K. GEORGE (*Chief Secretary to Government*): These reserves are for the State. If you borrow you will have to repay. As a matter of fact all the Governments of the world are finding that the one essential factor in economic prosperity is the financial stability of their Government and all members here know very well what the Government of India have done—they have raised taxes—what other Governments are doing, what the Government in England are doing.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): The financial position of the people also has to be considered.

MR. K. GEORGE (*Chief Secretary to Government*): Yes. There are only two ways of balancing a Budget—everybody knows that—either by raising fresh tax or by reducing expenditure by retrenchment in all possible ways without, of course, affecting the utility of the services. There are retrenchments which would cost the tax-payer more than the expenditure. Members are asking Government to take such a drastic step as to abandon revenue to an extent of 20 lakhs of rupees.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): It is not abandoning.

MR. K. GEORGE (*Chief Secretary to Government*) : Remission means abandoning. It is remission, that is asked for. When the members ask Government to remit 20 lakhs of rupees, what other source of income has the State ?

MR. A. THANU PILLAI (*Trivandrum*): Is there any doubt as to the meaning of the word abandon ?

DEPUTY PRESIDENT : The member raised the question and he has answered it.

MR. K. GEORGE (*Chief Secretary to Government*) : I was speaking of Government being asked to abandon revenue. In this very House we hear demands for various kinds of expenditure. Various members want various kinds of revenue to be abandoned. Some members want export duties to be abolished. It comes to 15 or 20 lakhs. I am not quite sure about the figure.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : 28 lakhs.

MR. K. GEORGE (*Chief Secretary to Government*) : Some want prohibition to be introduced. Some others want tolls to be abandoned Then what is it that remains ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ജനങ്ങൾക്ക് വളരെ കഷ്ടതയുള്ളതുകൊണ്ടാണ് ഇപ്രകാരം പറയുന്നതെന്നറിയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): What remains to us means what remains to the Government which exist for the people.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : I want to know whether they will be agreeable to remit at least one of the items recommended in view of the difficulty that is really felt by the people.

MR. K. GEORGE (*Chief Secretary to Government*) : What the Government have already done has been told by Mr. Robinson in his speech on the adjournment motion.

You want new roads and bridges to be constructed, and new school to be built and at the same time you want all the taxes to be cancelled. That is a proposition which the Government cannot for a moment consider.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know from the Chief Secretary whether Government *pari pasu* with the carrying out of these recommendations effect retrenchment to the utmost possibility ?

MR. K. GEORGE (*Chief Secretary to Government*) : I will just refer to that. As I said, there are only two ways of balancing a Budget. One, as I have already said, is by increasing the revenue. So far, Government have not raised any extra revenue.

Coming to retrenchment, the House is aware that there is already a Retrenchment Committee at work. That committee means seriously to consider all manner of possible retrenchments, both permanent and temporary, to tide over the financial difficulties. They are considering retrenchment even in salaries.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): മററു് പലരാജ്യങ്ങളിലും ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളം കുറച്ചിട്ടും ഇവിടെ ഇതുവരെ കുറക്കാത്തതെന്തുകൊണ്ടാണു്?

MR. K. GEORGE (*Chief Secretary to Government*): The Retrenchment Committee is considering that.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): How does the retrenchment of the officers' salaries relieve the distress of the people?

MR. K. GEORGE (*Chief Secretary to Government*): That is one means of finding money.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): How does it go to the peoples' pocket? How are the people benefited thereby?

MR. K. GEORGE (*Chief Secretary to Government*): What is suggested is "Retrench salaries and incur all expenses demanded by the people, and remit taxes." That is how people view the position.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): May I know whether the Government have done anything substantially for the people?

MR. K. GEORGE (*Chief Secretary to Government*): I propose to speak on that. A good deal has been said about the retrenchment in salaries. I do not want to dwell at length on that point. Some speakers think that the salaries are a gold mine from which you can get enormous treasure to meet all manner of expenses. Well I made a calculation the other day and I found that the expenditure on officers getting a salary of Rs. 150 and above is 18 lakhs out of a total expenditure of about 90 lakhs on salaries.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): What is the amount for officers getting Rs. 100 and above?

MR. K. GEORGE (*Chief Secretary to Government*): I am speaking of officers getting Rs. 150 and above. It comes to about 18 lakhs. The bulk of the salaries goes to officers getting below that. It is about 72 lakhs. So if you cut the salaries of higher officers alone you can get nothing to meet our present emergency.

MR. O. M. THOMAS (*Kottayam*): 18 lakhs is a respectable sum.

MR. K. GEORGE (*Chief Secretary to Government*): It is a respectable sum in the total. But how much will you cut out of it?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether some of these posts cannot be abolished?

MR. K. GEORGE (*Chief Secretary to Government*): The Committee is considering that also. As many posts as possible will be abolished consistent with the efficient running of the service. If the members examine the Budget, as my friends in the Retrenchment Committee have examined, they will find that there are not many posts that can be abolished. For example, take the Education Department. What is the meaning of abolishing posts there? It means abolishing teachers and that means the reduction of a large number of schools or something like that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Why not abolish the post of the Director who does not know how to direct under the present circumstances?

MR. K. GEORGE (*Chief Secretary to Government*): I do not know whether it is a practicable proposition. I was pointing out the instance of teachers only as an illustration.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): He said only teachers can be abolished. Not only teachers but every officer who is not absolutely necessary under the present circumstances can be abolished.

DEPUTY PRESIDENT: That question is not directly before the House. There is not much to be got by way of retrenchment, that is what he says.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I understood the Chief Secretary to say that only teachers can be reduced.

MR. K. GEORGE (*Chief Secretary to Government*): My point was only this. If you examine the various departments, Education, Medical or Agricultural, in all these Departments you will find the abolition of posts would necessarily mean curtailment of service. If you want a saving in the Medical Department you will have to abolish a hospital or a dispensary. If you abolish an Assistant Surgeon or a Sub-Assistant Surgeon you reduce so much service to the people. We have been very carefully examining in many directions in all these Departments and we find that the number of posts that could be abolished is very small. After all you may abolish the post of a clerk here and a typist or a peon there. What does that save?

Then, Sir, I have been asked pointedly what the Government have done so far to remedy the distress of the people. I have got a list of things which the Government have done. Some of them have been mentioned by Mr. Robinson.

DEPUTY PRESIDENT: They will stand repetition.

MR. K. GEORGE (*Chief Secretary to Government*): Government suspended coercive action in the latter half of 1106. They suspended the levy of demand notice fees in the second half of 1106.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Is it not a fact that the concession lasted only for a few days?

MR. K. GEORGE (*Chief Secretary to Government*): No; more than three months. Even refunds were made for demands issued during the period. Then the rate of commutation of Kandukrishi rent was first reduced from 24 to 20 chuckrams and subsequently to 18 chuckrams and as a further concession Government allowed the rent to be paid in kind. Then agricultural loans have been given very liberally and freely particularly to the people in Kuttanad. Government have made special arrangements for giving loans for pumping water for the purpose of cultivation and roughly a lakh of rupees has been spent on that.

MR. O. M. THOMAS (*Kottayam*): A lakh of rupees on how many persons?

MR. K. GEORGE (*Chief Secretary to Government*): I have got only the amount spent for the Kuttanad people on loans. The allotment of agricultural loans has been increased. Government are giving special instructions for the disbursement of small, loans to the poorer class of people.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): What is the amount set apart for loans?

MR. K. GEORGE (*Chief Secretary to Government*): 4½ lakhs of rupees.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has the whole amount been disbursed?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What percentage has been disbursed?

MR. K. GEORGE (*Chief Secretary to Government*): I have not got the figures.

MR. S. KRISHNA PILLAI (*Karunagapalli*): No member representing the Government is in a position to say that.

MR. K. GEORGE (*Chief Secretary to Government*): The total amount is Rs. 4½ lakhs. Then Government very often get applications for extension from time from those who have to repay the instalments of agricultural and industrial loans. In all suitable cases Government are giving that concession so that men who have to pay should not be put to very great difficulties. Then very often persons who have to pay the instalments of *taravila* apply to Govenment for extension of time. In all cases where Government are convinced that there is hardship they sanction the postponement of payment of the instalments. Government have reduced the tax on rubber lands from Rs. 2 to Re. 1. Then to help the poor fishermen the license fee on pachil *changadoms* has been reduced. Tariff on several articles has been reduced, mostly on the produce of the cocoanut tree. Then finally, as the Financial Secretary told the House the other day, the Land Mortgage Bank is going to be an accomplished fact.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In spite of the depression and the financial stringency of Government.

MR. K. GEORGE (*Chief Secretary to Government*): We might issue debentures for raising money for this purpose. There may be people who have got surplus money, who may be willing to invest.

So the charge made against the Government that they have done nothing is not quite fair, because Government have been mindful of the distress of the people and they have taken steps and are still taking steps to relieve them.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Who said that Government have done nothing?

MR. K. GEORGE (*Chief Secretary to Government*): The trend of the whole speeches is that very little is being done. I think they have done far more than many other Governments have done.

MR. S. KRISHNA PILLAI (*Karunagapalli*): How much of the agricultural loans has till now been disbursed?

MR. K. GEORGE (*Chief Secretary to Government*): No figures are available.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Some approximate amount will do. Why I repeat this question is that my own impression is that the officers concerned are putting all sorts of obstacles.

DEPUTY PRESIDENT: Did you send in representations to the Land Revenue Commissioner?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I sent up some questions but they have not been answered. Is it always possible to go about making complaints against the local officers? Of course, when representations are sent they will be sent to the Tahsildars for report and no report will reach the Land Revenue Commissioner, and eventually no action will be taken on that. When I sent up these questions, I thought we would be able to get some information and would then be in a position to give the officers some opportunity for explaining the matter. I sent definite questions with regard to several taluks and with regard to the policy adopted in regard to the matter. But I did not get any reply. The thing is, I want to know whether it is not a lip sympathy by saying that Rs. 4½ lakhs is set apart for agricultural loans and not paying the people in their difficulty.

DEPUTY PRESIDENT: That is a question to be put at the end of the year.

MR. S. KRISHNA PILLAI (*Karunagapalli*): The Chief Secretary said that Government have done a good deal for the people by setting apart Rs. 4½ lakhs by way of agricultural loans. It is that which has provoked this question.

DEPUTY PRESIDENT: Do you expect the Central Government to go to every taluk and arrange for the disbursement of the loans?

MR. S. KRISHNA PILLAI (*Karunagapalli*): These officers form part of the Government and if they do not do it, it must be with some instructions.

MR. K. GEORGE (*Chief Secretary to Government*): Which taluk did not get?

MR. S. KRISHNA PILLAI (*Karunagapalli*): The general impression is that the money is not being properly disbursed. At the same time I must say to the credit of the Government that in the Industries Department more than 75 or 80 per cent. has already been doled out. I cannot say whether the information is correct. I am open to correction.

MR. K. GEORGE (*Chief Secretary to Government*): At present I have no information before me. The Land Revenue Commissioner will certainly look into the matter and issue whatever instructions are necessary so that Government's intention may be fulfilled.

DEPUTY PRESIDENT: It is certainly intended to be paid.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഡിവിഷൻകച്ചേരികൾ നിറുത്തിയാൽ ഒരുവലിയ തുക ലാഭമായി വരുകയില്ലേ?

MR. K GEORGE (*Chief Secretary to Government*) : അങ്ങിനെചെയ്താൽതന്നെയും എത്ര രൂപാ ലാഭംകിട്ടാൻപോകുന്നു? ൫,൭൦൦ രൂപാ ലാഭം വരുമായിരിക്കും. അതുകൊണ്ടു് എന്തു പ്രയോജനം? പിന്നീടു കച്ചേരികൾ കൂടുതലായിവേണ്ടിവരും.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): പേഷ്കാരുദ്യോഗങ്ങൾ നിറുത്തിയാൽ പിന്നെ അവരുടെ സ്റ്റാഫ് വേണമെന്നുണ്ടോ? അതും ലാഭമല്ലേ?

MR. K. GEORGE (*Chief Secretary to Government*) : പേഷ്കാരന്മാർ ഇല്ലെങ്കിൽ അവരുടെ ജോലികൾ ചെയ്വാൻ കൂടുതൽ കച്ചേരികളും കൂടുതൽ ആളുകളും വേണ്ടിവരും.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ദേവസ്വം കാര്യങ്ങളും റവന്യൂകാര്യവും പേഷ്കാരന്മാർ നോക്കിവന്നിരുന്നകാലത്തു അവൎക്കു ജോലി കൂടുതലുണ്ടായിരുന്നു. പിന്നീടു ദേവസ്വത്തെ മാററിഎങ്കിലും റവന്യൂകാര്യത്തിനായി മാത്രം പ്രത്യേകം കമ്മീഷണരേയും ഡിവിഷൻ അസിസ്റ്റൻറന്മാരെയും വച്ചു ചിലവു് വർദ്ധിപ്പിച്ചിരിക്കുകയല്ലെ ചെയ്തിരിക്കുന്നതു്? ആ സ്ഥിതിക്കു പേഷ്കാരുദ്യോഗങ്ങൾ നിറുത്തൽ ചെയ്യരുതൊ?

MR. K. GEORGE (*Chief Secretary to Government*) : അവൎക്കൊരുത്തക്കും ഇപ്പോൾ ജോലി കുറവില്ല.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*) അങ്ങിനെയാണെങ്കിൽ ഇനിയും കുറേപ്പേരെ കൂടുതലായി വച്ചാലും അവൎക്കും ജോലി ഉണ്ടാകാതിരിക്കുമോ?

DEPUTY PRESIDENT : ആ സംഗതിയെപ്പററി ആലോചിക്കുന്നതിനല്ലേ ഇപ്പോൾ ഒരു റിട്രെഞ്ച്മെൻറു കമ്മററി ഏർപ്പെടുത്തിയിരിക്കുന്നതു്? ആ കമ്മററി ഈ സംഗതികളെല്ലാം ആലോചിക്കും.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): റിട്രെഞ്ച്മെൻറ്കമ്മിററിയെ ഈ കൌൺസിലിൽനിന്നുമല്ല തിരഞ്ഞെടുത്തിട്ടുള്ളതു്.

DEPUTY PRESIDENT : ആരു നിയമിച്ചാലും ഇപ്പോൾ ഒരു റിട്രെഞ്ച്മെൻറുകമ്മററി ആലോചന നടത്തുന്നുണ്ടു്. അതിൽ മെമ്പറിൻെറ അഭിപ്രായങ്ങളെ എഴുതിഅയച്ചാൽ അതിനെപ്പററിയും കമ്മററിക്കാർ കഴിവുള്ളിടത്തോളം ആലോചന നടത്തുന്നതാണു. അതല്ലാതെ ഈ കൌൺസിലിൽ പറഞ്ഞാൽ എന്തുചെയ്യും? അതിലേക്കു സമാധാനം പറയാനുള്ള അവസരമാണൊ ഇതു്?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ആ സംഗതിയെപ്പററി ഗവണ്മെൻറുഭാഗത്തുനിന്നും പറഞ്ഞുവന്നകൂട്ടത്തിൽ അതിൻെറ ഡീറെറയിൽസിനെപ്പററി ചോദിച്ചതാണ്.

DEPUTY PRESIDENT: ഏതെല്ലാം ഉദ്യോഗങ്ങൾ നിറുത്താം? ആരുടെ എല്ലാംശമ്പളങ്ങൾ കുറയ്ക്കാം? എന്നുള്ള സംഗതികളെപ്പററി ആലോചിച്ചതിൽ ൧൫൦ രൂപായ്ക്കുമേൽ ഉള്ളവരുടെ ശമ്പളത്തുക ൧൭ ലക്ഷമേയുള്ളു. അവരുടെ ശമ്പളം കുറച്ചാലും വളരെ നിസ്സാരമായ സംഖ്യയെ കിട്ടുകയുള്ളു. വലിയ ഒരു തുക ഇവിടെ ആവശ്യമായിരിക്കുന്നു. ആ സംഗതികളെപ്പററിയാണു ചീഫ്സെക്രിട്ടറി പറയുന്നതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is the Chief Secretary aware that the Government of the Federated Malaya States have given a remission of fifty per cent?

MR. K. GEORGE (*Chief Secretary to Government*): Perhaps, their position is different.

I have nothing more to say except that the proposition is quite impossible to accept.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഞാൻ പ്രമേയത്തെ അനുകൂലിക്കുന്നു. എൻെറ പ്രതീക്ഷയ്ക്കു നേരെ വിപരീതമായ ഒരു സംഭവമാണ് ഇവിടെ ഉണ്ടായിട്ടുള്ളതു്. ശ്രീ ചിത്തിരതിരുനാൾ മഹാരാജാവു് തിരുമനസ്സുകൊണ്ടു് തിരുമുപ്പു് ഏറെറടുത്തിട്ടുള്ള ഈ അവസരത്തിൽ ആ തിരുമനസ്സിനോടു് വാത്സല്യമുള്ള പ്രജകളുടെ രക്ഷയെ പരിഗണിച്ചു് ഇപ്രകാരം ഒരു കരം ഇളവുചെയ്യേണ്ടതു് അത്യാവശ്യമാണെന്നു് ആരും സമ്മതിക്കുന്നതാണ്. ഇങ്ങനെ സന്ദർഭോചിതമായ വിധത്തിൽ ഈ പ്രമേയം കൊണ്ടുവന്ന മിസ്റ്റർ ദാമോദരൻ ആശാനു ഞാൻ കൃതജ്ഞത പ്രകടിപ്പിച്ചുകൊള്ളുന്നു. ഗവണ്മെൻറുഭാഗത്തു നിന്നും ഈ പ്രമേയത്തെ സ്വീകരിച്ചുകൊള്ളുമെന്നു വിചാരിച്ചിരിക്കെ ചില മുടന്തൻ ന്യായങ്ങളുംകൊണ്ടു് അതിനെ എതിർക്കുന്നതിനു ഗവണ്മെൻറു ചീഫ്സെക്രിട്ടറി പുറപ്പെട്ടിരിക്കുന്നതു് എത്രയും പരിതാപകരമാണെന്നു പറയാതെ നിവർത്തിയില്ല. ലക്ഷക്കണക്കിന് രൂപാ കണ്ടമാനം വ്യയംചെയ്യുന്ന ഈ ഗവണ്മെൻറു്, കുടികളുടെ രക്ഷയ്ക്കുവേണ്ടി ഇത്രയും സംഖ്യ—നിസ്സാരമായ സംഖ്യ—ഇളവു ചെയ്യണമെന്നു പറയുമ്പോൾ, അതിനെ എതിർക്കുന്നതായികാണുന്നതിൽ സങ്കടപ്പെടാതെ നിവർത്തിയില്ല. പ്രജാവത്സലനായ ശ്രീ ചിത്തിരതിരുനാൾ പൊന്നുതിരുമേനി തിരുമുപ്പു് കയ്യേറെറടുത്തിട്ടുള്ള ഈ വർഷത്തിൽ പ്രജകളുടെ രക്ഷയെ പരിഗണിച്ചു് ൫൦ ശതമാനം കരം ഇളവുചെയ്യണമെന്നുള്ള ഈ പ്രമേയത്തെ എല്ലാവരും അനുകൂലിക്കണമെന്നു അപേക്ഷിച്ചു

[Mr. Joseph Kunju.]

കൊണ്ടു് മിസ്റ്റർ ദാമോദരൻ ആശാൻ ഇവിടെ അവതരിപ്പിച്ച പ്രമേയത്തെ ഞാൻ പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. O. M. THOMAS (*Kottayam*): Sir, the Chief Secretary to Government has not only opposed the resolution, but has said something to imply that we are a set of incredibly unreasonable people to have brought forward or supported this resolution. He says that if fifty per cent. of the land revenue of the State is reduced, it will be impossible for the Government to function. In justification of his own position he said that Government in spite of a deficit in the Budget have not enhanced the land revenue to any extent. He is only taking shelter under a technical justification. It is true that land revenue has not been enhanced.

DEPUTY PRESIDENT: He said that no new taxes have been imposed.

MR. O. M. THOMAS (*Kottayam*): But taxes in other shapes have been enhanced. I saw an announcement in the *Government Gazette* the other day with regard to enhancement of the duty on tobacco in its raw form.

MR. K. GEORGE (*Chief Secretary to Government*): It is a luxury.

MR. O. M. THOMAS (*Kottayam*): I should think, and I am sure the Deputy President will also agree with me, when I say, that tobacco in its raw form is the necessity of a common man in Travancore.

DEPUTY PRESIDENT: Don't drag in the Deputy President also with you.

MR. O. M. THOMAS (*Kottayam*): Well, then it is left out.

I think many people in this House will agree when I say that tobacco in its raw form is the necessity of the common man of Travancore; and the duty on it has been enhanced. Certainly in these days of depression, when Government ought to give a substantial relief in the shape of remission of tax, this additional duty is a very severe burden. Perhaps, the justification for that also will be that the Government must find some money to feed the departments of public utility. The ordinary ryot is aggrieved over the fact that the public utility services are not sufficiently useful, that a large portion of the land revenue of the State is consumed by salaries and allowances. In the last Budget session, this question was driven home to the Government and the Financial Secretary said that nearly 91 lakhs of rupees are spent on salaries alone. I am not sure whether that figure includes allowances of Government officials also. We must take the statement of official members with the utmost possible degree of caution, because they always take shelter under technical phrases and clauses. The Financial Secretary's figure does not ostensibly include amounts spent on allowances.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): It includes allowances also.

MR. O. M. THOMAS (*Kottayam*): Anyhow, 91 lakhs includes both pay and allowances. That is a very substantial portion of the total revenue of the State. Certainly, that much is not spent on public utilities.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is payment to a medical man expenditure on public utilities?

MR. O. M. THOMAS (*Kottayam*): Not to such an abnormal extent.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it in the nature of a public utility?

MR. O. M. THOMAS (*Kottayam*): It is, if reasonable.

MR. KAYALAM PARAMESVARAN PILLAI: (*Additional Head Sirkar Vakil*): I am asking whether the service is a utility to the public if the payment be abnormal?

MR. O. M. THOMAS (*Kottayam*): Certainly not. Abnormal rate of pay is detrimental to public interest; and we have examples of that in Travancore itself.

The Chief Secretary said that the Government of Travancore are really doing much more than most Governments have done in the matter of giving relief to the ryots. I ask whether there is any Government within his knowledge that has delayed the question of retrenchment to this unconscionably long period as the Government of Travancore? Almost every other Government have already solved this question, but the Government of Travancore are lagging behind.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Has the Government of Cochin effected any retrenchment?

MR. O. M. THOMAS (*Kottayam*): Yes, last year. Other Governments have solved this problem long ago, much longer than the Government of Travancore thought of attending to it.

DEPUTY PRESIDENT: Do you mean to say that some form has been resolved upon or that it has been given effect to?

MR. O. M. THOMAS (*Kottayam*): Resolved upon and given effect to already—that is to say, other Governments have beaten us in this respect.

MR. K. GEORGE (*Chief Secretary to Government*) The expenditure has been curtailed by several lakhs.

MR. O. M. THOMAS (*Kottayam*): I am speaking of retrenchment in salaries.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): May I know whether any other Government have given so many consessions at this time of depression as our Government have done in the way of delaying payment of taxes, grant of agricultural loans, etc. I doubt if any Government have done half as much?

MR. O. M. THOMAS (*Kottayam*): My own point of view is that almost every other Government have given greater concessions in the shape of retrenchment of salaries.

MR. K KUNJUKRISHNA PILLAI (*Quilon*): May I know whether there is any Government other than the Government of Travancore that has increased the salary of some of its officers during the time of financial stringency?

MR. O. M. THOMAS (*Kottayam*). Certainly not, to my knowledge.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Does the member know of any instance where salaries have been increased when this gloom of economic depression was on us?

DEPUTY PRESIDENT: Don't interrupt the trend of the discussion, please.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I was only putting the converse side of the case that not only have the Government of Travancore not effected any retrenchment as other Governments have done, but they have increased the salaries of some officers.

DEPUTY PRESIDENT: The question of Mr. Robinson was "Can you refer to any other Government which have done so much for its people as the Government of Travancore?" Mr. Thomas, you may answer that.

MR. O. M. THOMAS (*Kottayam*): My opinion is that every other Government have done because they have solved the question of reduction of salaries.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Any specific instance?

MR. O. M. THOMAS (*Kottayam*): For example, the Government of the United Provinces have given greater concessions than the Government of Travancore, But now, they are threatening to withdraw those concessions on account of the adverse situations prevailing there—the no-rent campaign.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Have the Government of Travancore levied new taxes or have they raised any tax as British India has done?

MR. O. M. THOMAS (*Kottayam*): Well, the position of the Land Revenue Commissioner of the Government of Travancore is very different from that of a layman like me. I have not the resources to quote statistics. But, only yesterday, Mr. Robinson pleaded absence as an excuse for his inability to furnish us with figures. I believe there is continuity for the Government of Travancore, and although he was absent from the State, the Government of Travancore functioned; and he should have had the figures at the tip of his fingers. If Mr. Robinson had so much difficulty, how much more difficult will it be for a layman like me who has not the resources as the Land Revenue Commissioner has to quote figures and statistics off-hand? I have given one positive instance the Government of the United Provinces have done more for the ryots than the Government of Travancore have. Does the Revenue Commissioner contradict that?

Another point that I was talking about is about the reduction of salaries. My grievance is that the Government of Travancore have not yet tackled this problem whereas most other Governments have.

Another side of the picture is that the Government of Travancore have created some new posts in spite of the threatened deficit of about 12 lakhs of rupees in the current year's Budget. That is an incredibly

unreasonable position, a sort of position which is attributed to us, non-official members of this House, by the Chief Secretary. Is it reasonable at this stage. when everybody is suffering, to create new posts on very high rates of pay? Certainly not. No Government with an iota of sympathy would ever have done that. In these circumstances, we cannot but press for a substantial reduction of land revenue. If 50 per cent. in high, let Government give us an undertaking that they will give a remission of, say, 30 per cent. Have the Government the grace, the heart of grace, to meet us at least half-way? Certainly it behoves the Government to do that in this particular instance, where it is not imaginary grievance but real, acute, intense, immeasurable gievance that we suffer from. Sir, if logic does not appeal to the esteemed officals who sit there, let at least arguments of *ad misericordium*. The ordinary man is crushed; you are squeezing him and you could hear the pin pricks. It is unreasonable, it is inequitable, it is intolerable; and Government are paving the way for a dangerous situation if they continue at this rate. When I suggested the possibility of a dangerous situation on another occasion, somebody in this House, a very esteemed member, said that he relied on the strong arm of the Commissioner of Police. But I say however efficient Mr. Bishop be in the control of situations, especially unpleasant situations, that might arise in the future, the situation is likely to go beyond control and it is up to statesmanship to solve it before that occasion arises. Concession is the only way in which we can conciliate a large body of people who have real, legitimate grievances.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): Sir, I move for a closure.

DEPUTY PRESIDENT: Mr. Robinson who is in charge of the resolution has not spoken; many members have not spoken. Moreover, this is a question bristling with difficulties, demanding earnest consideration whether in the present financial situation a relief can be given under the head of land revenue, and, if so, the extent of it. You cannot move for a closure; and I am not bound to consider it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mr. Joseph Kunju has no right to move for a closure at all because he has already spoken.

DEPUTY PRESIDENT: That is another aspect of the question. In common fairness, the question deserves further investigation and I do not see my way to agree to the proposal to apply a closure. The next alternative will be to close the business of the day and rise, and adjourn *sine die*.

The council adjourned *sine die* at 5. 5 P. M.

K. P. VISWANATHA AIYAR,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL,

FIRST SESSION OF 1107.

(*OFFICIAL REPORT.*)

Thursday, the 21st April, 1932/9th Medam, 1107.

The Council met in the Victoria Jubilee Town Hall at eleven-thirty of the Clock, the President presiding.

The following members were absent :—

1 Mr. O. M. Thomas.
2. Mr. L. A. Bishop.
3. Mr. Jatavedan Namputiripad.

SWEARING IN OF NEW MEMBERS.

The President first subscribed his oath.

The following persons were then sworn in : —

1. Mr. P. Visvanatha Aiyar.
2. Mr. A. Kumara Pillai.
3. Mr. L. A. Lampard.
4. Mr. N. K. Padmanabha Pillai.
5. Rao Bahadur A. Venkatarama Aiyar.
6. Mr. M. Keralavarma Tampan (*Co-opted*).

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, I rise to a point of order.

This is not a properly constituted Council; because we have not conformed to certain requirements of the statute. According to Section 2 (4) of the Legislative Council Regulation, the total number of members shall be fifty, the number of elected members being twenty-eight, and nominated members twenty-two, seven of whom being non-officials. According to this mandatory provision, I think the Council should have fifty members, whereas we have got only forty-nine members at present; and among the elected members, instead of twenty-eight, we have only twenty-seven since the constituency of Chirayinkil is not represented in the Council. As such, I wish to have a ruling, Sir, as to whether this Council stands properly constituted.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; Sir, Mr. Kunjukrishna Pillai did not refer to any provision of the Legislative Council Regulation or Rules to the effect that, if there is vacancy in the Council, the business of the House shall not be proceeded with.

G. P. T. 2263. 300 11-11-107. B

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know from the Law Member whether there is any provision that the Council can be conducted with forty-nine members, as against this strict provision of the Regulation that there *shall* be fifty members of whom twenty-eight shall be elected?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Where is the provision that the Council cannot function? There is no provision that *all* the fifty members should be alive when the House is sitting.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Are there fifty members alive now?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Whether alive or not, the *seats* are open, any member may contest the election and come forward. I may also remind the member that twenty members, or so, form the quorum. So, the House can go on with the business even if there are only twenty members present.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): There is no question of quorum at all. It is a question of proper constitution of the Council.

PRESIDENT: I rule that the Council is properly constituted.

QUESTIONS AND ANSWERS.

Cases filed in the Second Class Magistrate's Court, Kottar, during 1104-1106.

112. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) how many cases were transferred from the Second Class Magistrate's Court at Kottar from 1104 to 1106;

(*b*) how many cases were filed in this Court between 1104 and 1106;

(*c*) how many cases were discharged before collecting evidence for the defence in 1104, 1105 and 1106; and

(*d*) how many cases were discharged soon after the examination of the complainants?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 12.

(*b*) 2,833.

(*c*) 1104—83 cases.
1105—52 cases.
1106—54 cases.

(*d*) 1104—17 cases.
1105—29 cases.
1106— 8 cases.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): In view of the answers to parts (*a*) and (*b*), may I know from the member whether it is not a proof that the litigant public is losing confidence in the present Magistrate?

MR. K. GEORGE (*Chief Secretary to Government*): That is no proof of it. There are only twelve transfers out of 2,833 cases.

Second Class Magistrate, Kottar.

113. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) how long is it since the present (26-2-1107) Magistrate, Kottar, has been posted there as a Magistrate;

(*b*) how long he has been as a Magistrate;

(*c*) whether there was any complaint of corruption about the present Magistrate; and

(*d*) the name of the present Magistrate?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Since 19-3-1105.

(*b*) For the past 11 years.

(*c*) There was an anonymous petition, dated 2-12-1931, addressed to the Chief Justice, High Court, which contained certain allegations against the Magistrate. Mr. Justice Narayana Pillai, who inspected the Stationary Magistrate's Court, Kottar, on 19-4-1107, with a view to investigate the allegations contained in the petition, has found that there was no evidence in support of the same.

(*d*) Mr. C. M. Korah, B. A., B. L.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): In regard to part (*c*), may I know from the member whether it is a fact that the present Magistrate is debarred from promotion for having been found guilty of corrupt practices?

MR. K. GEORGE (*Chief Secretary to Government*): Not that he was guilty of corrupt practices; there was some irregularity about the registry of some *puduval* lands by him.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the irregularity?

MR. K. GEORGE (*Chief Secretary to Government*): I am not now in a position to give the details.

Statement of graduate teachers drawing salaries less than those of undergraduates.

114. **MR. K. PADMANABHA PANIKKAR** (*Ambalapuzha*): (1) Will the Government be pleased to lay on the table a tabular statement of graduates having a total service of 17 years and more on the 1st Chingam 1107 but who have permanent lien only on posts lower than those of undergraduates arranged in the order of total service as teachers in the Education Department, under the following heads:—

(i) name;

(ii) qualification on first entry as a teacher in the Department;

(iii) total service as a teacher in the Department;

(iv) initial pay on first entry as a teacher in the Department;

(v) present substantive pay and scale;

(vi) total service after getting the minimum of the present substantive grade of pay;

(vii) date of first acting appointment, if any, in the provincial grade;

[Mr. K. Padmanabha Panikkar.]

(viii) whether now (30-2-1107) posted. in any permanent vacancy in the provincial grade ; and

(ix) total service in the acting appointment, if any, in the provincial grade?

(2) Will the Government be pleased to state whether the graduates coming under the category as seen in the aswer to part (1) could be provided, without delay, in permanent vacancies in the provincial grade, in consideration of the order of seniority and their total service in posts even lower than those of undergraduates?

MR. K. GEORGE (*Chief Secretary to Government*): (1) (i) J. M. Satyanesan.

(ii) Matric.

(iii) 17 years, 9 months and 26 days.

(iv) Rs. 20.

(v) Rs. 22 in the scale of Rs. 20-1/2-25

(vi) He has been drawing Rs. 22 from the 1st Vrischikam 1098. He got the present grade only on the 1st Chingam 1104.

(vii) 6th Karkatakam 1105.

(viii) The answer is in the negative.

(ix) 5 months and 23 days.

(2) Postings to permanent vacancies in the provincial grade will be made in the order of seniority as soon as practicable.

Motor bus drivers' strike, 1106.

115. **MR. R. S. SUBRAHMANYA PILLAI** (*Kalkulam* cum *Vilavankod*): (1) Are the Government aware that the drivers of motor buses in the State have been on strike from the 16th Mithunam 1106?

(2) If the answer to part (1) is in the affirmative, will the Government be pleased to state:

(*a*) the circumstances that led up to the strike;

(*b*) whether the drivers submitted any petitions either to the Government or to the Commissioner of Police regarding their grievances, prior to the strike;

(*c*) if so, the action taken in the matter;

(*d*) whether the present Commissioner of Police suspended or cancelled any driver's license or badge or conductor's pass or any permit of buses; and

(*e*) if so, under what Section of the Motor Vehicles Regulation the Commissioner of Police is empowered to do so?

MR. K. GEORGE (*Chief Secretary to Government*): (1) Some drivers of motor buses went on strike from the 16th to the 18th Mithunam 1106.

(2) (*a*) The grievances of the strikers appeared to be as follow:—

(i) The alleged unfair system of double punishment, in that employees convicted in court for motor offences invariably have their badges or conductors' pass books suspended or cancelled.

(ii) That undue weight is attached to the offence of overloading.

(iii) That a single conviction for failure to wear a badge, carry a current driving license or pass book or for having no rear light lit entails suspension of badge or pass book. No definite reasons were actually given.

(*b*) The drivers submitted a memorial to the Government.

(*c*) The Commissioner of Police to whom the memorial was forwarded for report was of the opinion that the grievances of the strikers were not reasonable, and that the precautionary rules promulgated by him were absolutely necessary in the interests of the travelling public. The memorial was therefore recorded.

(*d*) Yes.

(*e*) (i) Suspension or cancellation of drivers' licenses, badges and conductors' pass books.	Rule 23 (2) of the Travancore Motor Vehicles Rules.
(ii) Cancellation of "G" permit.	Condition No. 5 of "Conditions of continuance of service" of "G" permit.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): പാർട്ട (ഉ) (സി), മെമ്മോറിയൽ റിക്കാർഡുചെയ്തതായി പ്രസ്താവിച്ചിരിക്കുന്നു. കക്ഷികൾക്കു എൻഡാർസ്മെൻറു വല്ലതും കൊടുത്തിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): എൻഡാർസ്മെൻറുകൊടുത്തതായിട്ടു കാണുന്നില്ല.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): മെമ്മോറിയലിനു ഒരു എൻഡാർസുമെൻറു കൊടുക്കേണ്ടതാവശ്യമാണെന്നു വിചാരിക്കുന്നുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): അതെല്ലാം അവസാനിച്ചുകഴിഞ്ഞല്ലോ.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): മോട്ടാർവെഹിക്കിൾ റൂൾസ് അനുസരിച്ചു പോലീസ് കമ്മീഷണർക്കു ഡ്രൈവർമാരുടെ ലൈസൻസ്, ബാഡ്ജസ്, കണ്ടക്ടേർസു പാസ്സ്ബുക്ക ഇവ റദ്ദുചെയ്വാനുള്ള അധികാരമുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): Travancore Motor Vehicles Rules, Rule 23 (2) അനുസരിച്ചു അധികാരമുണ്ട്.

Conduct of registered chitties in the State in 1106.

116. **MR. K. P. ABRAHAM** (*Muvattupuzha cum Todupuzha*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of registered *chitties* in the State running in 1106;

(*b*) their aggregate capital;

(*c*) the total number of subscribers thereto;

[Mr. K. P. Abraham.]

(d) the average number of instalments a year for *chitties*; and

(e) the average amount that a subscriber has to subscribe in one year?

MR. K. GEORGE (*Chief Secretary to Government*): (a) 10,289.

(b) Rs. 258 lakhs.

(c) 867,976.

(d) 2·45.

(e) Rs. 76.

Statement of lands leased out by Government for 99 years.

117. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to lay on the table a statement showing:

(a) the extent of lands so far (8-4-1107) leased out for cultivation by them originally for 99 years and the names of such lessees; and

(b) the extent brought under cultivation so far?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (a) There are no such lands.

(b) In view of the answer to part (a), this does not arise.

Chitties in the State.

118. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to lay on the table a statement containing information on the following points:—

(a) the number of *chitties* started since the promulgation of the Chitties Regulation;

(b) a statement, by caste, of the foremen;

(c) the number of *chitties* that collapsed;

(d) the number of *chitties* that reached their natural termination;

(e) the number of *chitties* that gave rise to litigation; and

(f) the number of *chitties* started by banks?

MR. K. GEORGE (*Chief Secretary to Government*): (a) 14,525

(b)

Brahmins (Malayala)	...	245
Do. (Others)	...	580
Ezhavas	...	1,642
Kammalas	...	19
Kshatriyas	...	5
Nadars	...	1,672
Nayars	...	2,744
Other depressed classes	...	605
Vellalas	...	750
Other Hindus	...	341
Mussalmans	...	603
Christians	...	4,840
Banks	...	228

(c) 1,588.

(d) 2,730.

(e) The information is not available.

(f) 228.

Appointments made in the Registration Department in 1106.

119. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of appointments made in 1106 in the Registration Department and the number of Muslims who got such appointments?

MR. K. GEORGE (*Chief Secretary to Government*): The number of initial appointments made in the Registration Department in 1106 is 91 and the number of Muslims who got such appointments is 5.

Appointments made in the Agricultural Department during 1105 and 1106.

120. **MR. P. S. MAHOMED.** (*Nominated*): Will the Government be pleased to state the number of appointments made during 1105 and 1106 in the Agricultural Department and the number of Muslims who got such appointments?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): 11 appointments were made in the Agricultural Department during 1105, and 16 in 1106. No Muslim was appointed in 1105; one was appointed in 1106.

Recovery of Abkari arrears.

121. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the amount of Abkari arrears for the realisation of which instructions were issued to the Tahsildars by the Excise Commissioner during the last six years (1101-1106);

(*b*) the amount actually realised;

(*c*) the amount written off the accounts as per Government sanction; and

(*d*) the balance still to be realised?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*), (*b*) (*c*) and (*d*). A statement * showing the particulars required is laid on the table.

Statement of appointments and confirmations made by the Account Officer in 1106 and 1107.

122. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to lay on the table a statement of appointments and confirmations made by the Account Officer showing the grade and names of persons so appointed from the beginning of 1106 till the end of Tulam 1107?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The statement † required is laid on the table.

Statement of lands assigned to depressed classes during 1104-1106.

123. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to lay on the table a statement, by taluk, of

* *Vide* Appendix I—page 336. † *Vide* Appendix II—page 337.

[Mr. K. Krishnan Nayar.]

the lands assigned by the Revenue Department to members of the depressed classes during the last three years (1104 —1106), and of alienations of these lands, if any, made by the depressed classes?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): A statement* containing the required particulars is laid on the table.

Allotments for agricultural loans in 1106 and 1107.

124. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table:

(*a*) a statement showing:

(i) the amounts set apart for agricultural loans in 1106 and 1107; and

(ii) the amount that was lent for the purpose in 1106 and 1107 (till the 30th Tulam); and

(*b*) a statement, by caste, of the recipients of the loans in 1106 and 1107 (till the 30th Tulam) showing also the amount received by each?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): A statement† containing the required particulars is laid on the table.

Attachment and sale of properties for arrears of tax in 1106.

125. **MR. K. MADHAVAN PILLAI** (*Trivandrum cum Neduvangad*): Will the Government be pleased to state:

(*a*) the number of defaulters whose immovable property was sold for arrears of land tax in the year 1106;

(*b*) the number of cases in which movables belonging to the defaulters were seized and sold for arrears of land tax; and

(*c*) the number of cases in which land belonging to the defaulters was taken possession of and proceeds collected for realising land-tax in 1106?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*); A statement ‡ containing the required particulars is laid on the table.

Report on co-operative movement in the State.

126. **MR. K. MADHAVAN PILLAI** (*Trivandrum cum Neduvangad*): Will the Government be pleased to state:

(*a*) whether they have received recommendations from the Economic Development Board and also from the Registrar of Co-operative Societies for instituting an enquiry into the working of the co-operative movement in the State; and

(*b*) if so, the action taken on it by the Government?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) The question is under consideration.

---

* *Vide* Appendix III—page 338. † *Vide* Appendix IV—page 339.

‡ *Vide* Appendix V—page 340.

Prosecutions for trespass started by the Forest Rangers at Aramboly and Azhakiapandipuram in 1106.

127. **MR. N. A. SUNDARAM PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) the number of prosecutions started by the Forest Rangers at Aramboly and Azhakiapandipuram for trespass against the ryots in the year 1106;

(*b*) the number convicted and the number acquitted; and

(*c*) the amount of money realised from impounding cattle, sheep, etc., at Aramboly and Azhakiapandipuram pounds at the instance of the Forest subordinates of those localities?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) 11.

(*b*) Number convicted—8.
Number acquitted—Nil.

(*c*) Aramboly—Bh. Rs. 32.
Azhakiapandipuram Bh. Rs. 28-4-0.

Inclusion of the Mailam pakuthi in the Kottarakara taluk.

128. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state whether they have taken any steps in pursuance of the promise made by the Dewan in his reply to the representation made by Mr. P. R. Paramesvaran Pillai at the 27th session of the Sri Mulam Popular Assembly regarding the inclusion of the Mailam pakuthi in the Kottarakara taluk?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The Mailam pakuthi has been transferred from the Pattanapuram to the Kottarakara taluk with effect from the 1st Kumbham 1107 (*vide* Notification Dis. No. 115/32/Revenue, dated the 23rd January 1932, published at page 535, Part I of the *Gazette*, dated the 26th January 1932).

Fall in the price of copra and cocoanut oil.

129. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state

(*a*) whether they have made any enquiry regarding the fall in the price of *copra* and cocoanut oil;

(*b*) whether they have made any enquiry as to the place where cocoanut oil is consumed; and

(*c*) whether they have made any attempt for finding out markets in India for the consumption of our cocoanut oil?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) The fall in the price of *copra* and cocoanut oil is due to the general economic depression and consequent slump in trade, and so no special enquiry has been made regarding it.

(*b*) No enquiry has been made as to the places where cocoanut oil is consumed. But from the returns received from the Travancore Chamber of Commerce and from customs houses, it is seen that

[Mr. A. Kumara Pillai.]
cocoanut oil is chiefly exported to Cochin, Bombay, Calcutta and the neighbouring Tamil Districts of Tinnevelly, Madura and Ramnad and recently to Australia also.

(c) No.

Muslims and the grant of loans.

130. **MR. P. S. MAHOMED** (*Nominated*): Are the Government aware that the Muslims are ignored in the matter of granting loans from the amount set apart by Government for various purposes?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The answer is in the negative.

Production of Register certificates in Civil Courts.

131. **MR. A. NARAYANA PILLAI** (*Vaikam*): Will the Government be pleased to state:

(a) whether they are aware that Civil Circular No. 65 of 1079 regarding the production of Register certificates is being enforced in certain civil courts, while the *Civil Courts' Guide* does not contain any such provisions; and

(b) whether it is their intention to stop such a practice or to enforce the circular side by side with the *Guide*?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): (a) Civil Circular No. 65 of 1079, as amended by Civil Circular No. 7 of 1081, has not been repealed by the present *Civil Courts' Guide*.

(b) The circular has to be enforced, as otherwise the provisions of the *Civil Procedure Code* cannot be fully complied with.

Shifting of the Leper Asylum.

132. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(a) whether they propose to shift the Leper Asylum to some place in Central Travancore;

(b) if the answer to part (a) is in the affirmative, the estimated expenditure on account of such shifting; and

(c) the taluks or parts of the State where there are very many lepers?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (a) Yes.

(b) The expenditure cannot be estimated till the site is definitely fixed.

(c) Agastisvaram, Trivandrum, Neyyattinkara, Karunagapalli, Kartikapalli, Mavelikara, Shertallai, Vaikam, Parur, Kunnatnad, Quilon, Chirayinkil and Pattanapuram taluks.

Inspection work of the Inspectress of Girls' Schools.

133. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state:

(a) whether the Inspectress of Girls' Schools regularly submits her inspection notes; and

(b) who checks them?

MR. K. GEORGE (*Chief Secretary to Government*): (a) Yes.

(b) The Director of Public Instruction.

Applications for agricultural loans in the Karunagapalli taluk.

134. MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the Government be pleased to lay on the table a statement showing:

(a) the number of applications received in 1106 and 1107 by the Karunagapalli Tahsildar for agricultural loans and the total amount applied for;

(b) the number of such applications that were granted and the total amount of loans granted;

(c) the amount disbursed till the 14th Vrischikam 1107 to those applicants; and

(d) the amount that still remains to be disbursed?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): A statement* containing the required particulars is laid on the table.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In regard to part (a), will the member be pleased to give an answer? I am not able to find any answer in the appendix.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Appendix VII gives the number of applications.

MR. S. KRISHNA PILLAI (*Karunagapalli*): No; there is no answer as regards applications from Karunagapalli.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It is given in Appendix VI.

MR. S. KRISHNA PILLAI (*Karunagapalli*): The number is not given there?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The heading 'Rs.' is a printer's mistake.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the member be pleased to state why, as compared with Quilon, the number of applications from Karunagapalli is so large?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Probably because more people want money there than in other places.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In view of the applications granted, does the member think that there are greater facilities for getting money in Karunagapalli than in Quilon?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I cannot say that.

Applications for agricultural loans in the Quilon taluk.

135. MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the Government be pleased to lay on the table a statement showing:

---

* *Vide* Appendix VI—page 341.

[Mr. S. Krishna Pillai.]

(*a*) the number of applications received in 1106 and 1107 by the Quilon Tahsildar for agricultural loans and the total amount applied for;

(*b*) the number of such applications that were granted and the total amount of loans granted;

(*c*) the amount disbursed till date (14-4-1107) to those applicants; and

(*d*) the amount that still remains to be disbursed?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): A statement* containing the required particulars is laid on the table.

Police interference in picketing cloth shops in Chalai.

136. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

(*a*) whether they allow Policemen in *mufti* to attend public meetings in connection with the picketing of foreign cloth shops at Chalai; and

(*b*) whether it is a fact that some Policemen in mufti tried to dissuade some of the volunteers from picketing the foreign cloth shops?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Policemen and a C. I. D. Head Constable were allowed to attend public meetings in connection with the picketing of foreign cloth, as in other meetings of a similar nature.

(*b*) The answer is in the negative.

Dating of applications and petitions presented in Revenue Courts.

137. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether there is any rule requiring proceedings presented before the Revenue Courts to be dated by the parties presenting them or by the officers receiving them; and

(*b*) whether any rule is observed and insisted on by the Revenue Courts in the matter of granting copies of records to applicants to denote on the copies furnished the dates on which they were applied for and delivered?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) There is no specific rule for the Revenue Department except what is contained in rule 18 of the *Petition Rules* printed at page 48 of the *Land Revenue Manual Vol. II*. The Land Revenue Commissioner has stated that such proceedings are dated both by the parties presenting them and by the officers (or their Office Assistants) before whom they are presented.

(*b*) Yes. Government notification Dis. No. 756/21/Rev., dated the 26th July 1921.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): In regard to part (*b*) may I know whether, when copies of several records are applied for in the same application, separate dates in regard to each of those copies would be furnished?

---

*Vide Appendix VII—page 342.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): If different records are applied for by the same member, of course, dates should be given separately.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): On what basis is the question, whether each one of the records forms a separate record or not, determined?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It may be that a number of records form one record, as in Settlement cases for instance. In such cases, dates will not be given separately for each one of the documents forming the records.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Am I to understand that several papers pertaining to the same matter would be regarded as one document?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes; if there are different documents relating to different subjects, separate dates and other information would be given.

Presence of members of the Legislative Council at the Investiture Durbar.

138. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): (1) Are the Government aware that members of the Travancore Legislative Council were present at the Public Durbar held on the 20th Tulam 1107 in the Durbar Hall, Trivandrum?

(2) Will the Government be pleased to state whether there is any special reason for omitting to mention about their presence in the *Gazette Extraordinary* issued on the 23rd Tulam 1107 regarding that Public Durbar?

MR. K. GEORGE (*Chief Secretary to Government*): (1) Yes.

(2) There was no special reason. The list of guests given in the *Gazette Extraordinary* is by no means exhaustive, and the omission to include the members of the Legislative Council, in the list, was not deliberate.

Presence of members of the Legislative Council at the Investiture Durbar.

139. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*): With reference to the *Gazette Extraordinary* dated the 9th November 1931, will the Government be pleased to state why they omitted to mention in the said publication the presence of the members of the Legislative Council at the Durbar held on the 6th November 1931?

MR. K. GEORGE (*Chief Secretary to Government*): The attention of the member is invited to the answer to question No. 138 by Mr. K. P. Abraham.

Presence of members of the Legislative Council at the Investiture Durbar.

140. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

[Mr. K. Kunjukrishna Pillai.]

(*a*) whether it is a fact that they have omitted to mention the names of members of the Legislative Council in the list of persons present at the Durbar held in connection with the Investiture Ceremony of His Highness the Maha Raja in the *Gazette Extraordinary* published in connection with the Investiture Durbar ; and

(*b*) the reason for omitting to mention certain persons alone from among the invited guests ?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) and (*b*) The attention of the member is invited to the answer to question No. 138 by Mr. K. P. Abraham.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : The question is not whether the list is exhaustive or not. The list may not be exhaustive. But, while the Government considered that they could mention all these corporate bodies or persons, namely, the Chief Justice, the Judges of the High Court of Travancore and other chief officers of the Government, as also the Bishops of Travancore and Cochin, and also the Metropolitan, why did they not find time or space to mention the names of the Council members also ?

MR. K. GEORGE (*Chief Secretary to Government*) : It is stated in the answer that it is an omission, and that the omission was not deliberate.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know why they thought that they could afford to make an omission ?

MR. K. GEORGE (*Chief Secretary to Government*) ; It is an omission. Omissions cannot be explained.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know whether the Government will see that such omissions will not take place hereafter?

MR. K. GEORGE (*Chief Secretary to Government*) : They will see to it.

Amount spent on flood relief work in the Parur and Kunnatnad taluks.

141. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*) : Will the Government be pleased to state the amounts spent by the Government on flood relief work in the taluks of Parur and Kunnatnad during the last 25 years ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : The information is not immediately available and the Government think that the time and labour involved in collecting the information is out of all proportion to its utility.

Tom-tom charges under the Revenue Recovery Regulation.

142. **MR. S. KRISHNA PILLAI** (*Karunagapalli*) ; Will the Government be pleased to state :

(*a*) whether under the practice now in vogue more than one tom-tom is made for one sale under the Revenue Recovery Regulation; and

(*b*) whether the Government are not realising from the people tom-tom charges at the rate of 14 chs. in the mofussil and 21 chs. in towns?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : (*a*) Only one tom-tom is made for each sale.

(*b*) The rate of tom-tom charges has been fixed at chs. 21 per diem for the municipal towns of Nagercoil, Trivandrum, Quilon, Alleppey, Kottayam and Parur and for the hilly tracts, and at chs. 14 per diem for other places in the low country.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Does the member know whether, in British India, the rate is higher or lower?

MR. P. VISVANATHA AIYAR (*Ag: Secretary to Government*): I have not been able to compare the rates.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : May I know whether the Dewan Peishkars have recommended that these tom-tom charges might be done away with, or reduced?

MR. P. VISVANATHA AIYAR (*Ag: Secretary to Government*) . I have no information.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Will the member be pleased to state whether all the tom-tom charges that are realised from the people are paid over to the drum-beaters?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) ; Yes; it is supposed so.

The embankment and bridge at Talayolaparambu.

143. **MR. A. NARAYANA PILLAI** (*Vaikam*) : Will the Government be pleased to state:

(*a*) the cost of the bridge and embankment of Talayolaparambu and the estimated amount for reconstructing the latter; and

(*b*) when they hope to finish the new work?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : The estimated cost of the bridge and enbankment is Rs. 11,430 and that for reconstructing the latter is Rs. 2,820.

(*b*) It is reported that the work has been practically completed.

MR. A. NARAYANA PILLAI (*Vaikam*) : ഇതിൽ ചുരുങ്ങിയതുകയ്ക്കു ആ പാലം പണിയുന്നതിനു കൺട്രാക്ടർമാർ തയ്യാറുണ്ടായിരുന്നുവോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : അതിനെപ്പററി ഗവൺമെന്റിനു യാതൊരറിവുമില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*) : തോട്ടിന്റെ ഏതാനംഭാഗം നികത്തി ഒരു ചെറിയ പാലമാണു് അവിടെ പണിതതു് എന്നുള്ളതു ഗവൺമെന്റിന്റെ ദൃഷ്ടിയിൽ എത്തിയിട്ടുണ്ടോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : അറി ഞ്ഞുകൂടാ.

MR. A. NARAYANA PILLAI (*Vaikam*): പുല്ലാങ്കടവു പുഴമുറിഞ്ഞു വെള്ളപ്പൊക്കം ആണ്ടുതോറും ഉണ്ടാകുന്ന ഒരു സ്ഥലമാണ് ഇതു് എന്നു ഗവണ്മെന്റിന്റെ ദൃഷ്ടിയിൽ പെട്ടിട്ടുണ്ടോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : ചീഫ് എൻജിനീയർ അതിനെപ്പററി ഗവണ്മെന്റിലേക്കു എഴുതി അയച്ചിട്ടില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*) : ചീഫ് എൻജനീയരുടെയോ അതല്ല ഡിവിഷനാഫീസരുടേയൊ ആരുടെ നിർദ്ദേശമനുസരിച്ചാണു ആ പാലം പണിതതെന്നു പറയാമോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ജനങ്ങളുടെ ആവശ്യപ്രകാരം പാലം ഗവണ്മെന്റിൽനിന്നും പണിചെയ്തു.

MR. A. NARAYANA PILLAI (*Vaikam*): അതിന്റെ പ്ലാനും എസ്റ്റിമേററും തയ്യാറാക്കിയതു് ആരാണു്? ·

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : ഡിവിഷനാഫീസർ തയ്യാറാക്കി ചീഫ് എൻജനീയർക്കയച്ചു; ചീഫ് എൻജനീയർ ഗവണ്മെന്റിലേക്കയച്ചു; ഗവണ്മെന്റു അതു സാൻക്ഷൻ ചെയ്തു.

MR. A. NARAYANA PILLAI (*Vaikam*): ഒഴുക്കും വെള്ളപ്പൊക്കവും ഉള്ള ഒരു സ്ഥലമാണു് അതു് എന്നു ഗവണ്മെന്റിനറിയാമോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ആ വിവരം ഗവണ്മെന്റിനറിഞ്ഞുകൂടാ.

MR. A. NARAYANA PILLAI (*Vaikam*): പാലത്തിന്റെ വീതി കുറഞ്ഞുപോയതുകൊണ്ടു കഴിഞ്ഞ വെള്ളപ്പൊക്കത്തിൽ ആ പാലം വെള്ളം കൊണ്ടുപോയതായി ഗവണ്മെന്റിന്റെ ദൃഷ്ടിയിൽ എത്തിയിട്ടുണ്ടോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): പാലം പോയിട്ടില്ല, അതിന്റെ എംബാങ്കുമെന്റുമാത്രമെ പോയിട്ടൊള്ളു.

MR. A. NARAYANA PILLAI (*Vaikam*) : ആ സ്ഥലം വീണ്ടും നികത്താൻ നിശ്ചയിച്ചിട്ടുണ്ടൊ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): നികത്തിക്കഴിഞ്ഞു. ഇപ്പോൾ വണ്ടിയും ആളുകളും അതുവഴി ഗതാഗതം ചെയ്യുന്നുണ്ടു്.

MR. A. NARAYANA PILLAI (*Vaikam*): പാലം വലിപ്പംപോരാത്തതുകൊണ്ടാണ് എംബാങ്കുമെൻറു വെള്ളം കൊണ്ടുപോയതെന്നുള്ള സംഗതി ഗവൺമെൻറിൻെറ ദൃഷ്ടിയിൽ പെട്ടിട്ടുണ്ടോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): അറിഞ്ഞുകൂടാ.

The roads from Chemmanakari to Udayanapuram and from Vaikam to Vazhamana Kottaram.

144. **MR. A. NARAYANA PILLAI** (*Vaikam*): Are the Government aware that the following two roads have been pressed for and passed by the Alwaye District Road Board in 1106, but were rejected by the Central Road Board, *viz.*,

(i) the road from Chemmanakari to Udayanapuram: and

(ii) the road from Vaikam to Vazhamana Kottaram?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The recommendation of the District Board is pending consideration by the Central Board.

MR. A. NARAYANA PILLAI (*Vaikam*): ഈ രണ്ടു റോഡുകളും ആവശ്യമുള്ളതാണെന്നുള്ള സംഗതി ഏതാണ്ടുമുതല്ക്കാണു ഗവൺമെൻറിൻെറ ദൃഷ്ടിയിൽ പെട്ടതു്?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ൧൧൦൬ മുതല്ക്കാണെന്നു തോന്നുന്നു.

MR. A. NARAYANA PILLAI (*Vaikam*): സെൻട്രൽ ബോർഡിൻെറ ആലോചന തീരാൻ എത്രകാലം വേണ്ടിവരും?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): എതായാലും ഇപ്പോഴത്തെ ധനസ്ഥിതി ഈ റോഡുകൾ ഇപ്പോൾ ഉണ്ടാക്കാൻ അനുവദിക്കുന്നില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): ഇതിൻെറ കാലതാമസത്തിനു ധനദൌർല്ലഭ്യം മാത്രമെയൊള്ളോ കാരണം?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): അത്രേയൊള്ളു. സെൻട്രൽബോർഡു് ഇതിനെപ്പററി ആലോചിക്കയാണു്. അവരുടെ ആലോചനകഴിഞ്ഞു ഗവൺമെൻറിലേക്കെഴുതിവരുമ്പോൾ ഗവൺമെൻറിൻെറ ധനസ്ഥിതിയനുസരിച്ചു് അതിനെപ്പററി ആലോചിക്കുന്നതാണു്.

Relieving Mr. T. K. Velu Pillai of his duties as Honorary Secretary, Trivandrum Public Library.

145. **MR. A. S. DAMODARAN ASAN** (*Mavelikara cum Kartikapalli*): With reference to Notification Dis. No. 1344/31/Edn., published on page 309 of Part I of the *Travancore Government Gazette* dated the 17th November 1931, will the Government be pleased to state,

[Mr. A. S. Damodaran Asan.]

(*a*) the date on which Mr. T. K. Velu Pillai was relieved of his duties as Honorary Secretary of the Public Library ;

(*b*) whether Mr. T. K. Velu Pillai was appointed to the above post for a period of three years, and, if so, the date on which he was appointed and the date of termination of his term ;

(*c*) whether the order referred to above was passed before the expiry of Mr. Velu Pillai's term of office, and, if so, the reasons for the same

(*d*) whether any defect was found out in the discharge of his duties by Mr. T. K. Velu Pillai, and, if so, the officer by whom and the date on which the matter was reported to the Government ;

(*e*) if the answer to part (*d*) is in the affirmative, the main grounds on which the report is based ;

(*f*) whether it is a fact that Mr. Velu Pillai has sent a protest against the order referred to above ; and

(*g*) if so, whether a copy of the same will be laid on the table ?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 27th November 1931.

(*b*) Yes: he took charge of his appointment on the 23rd October 1930. His term would, if he were allowed to continue, have terminated on 22-10-1933.

(*c*). Yes. Government considered that it would not be possible for Mr. T. K. Velu Pillai to attend to the duties of the Honorary Secretary, Trivandrum Public Library, in addition to his duties as Lecturer, Law College, and the Warden of the Law College Hostel.

(*d*) The answer is in the negative.

(*e*) This does not arise, in view of the answer to part (*d*).

(*f*) The answer is in the affirmative.

(*g*) The answer is in the negative.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With reference to part (*c*), may I know whether Mr. T. K. Velu Pillai was Lecturer of the Law College at the time of his appointment as Secretary of the Public Library ?

MR. K. GEORGE (*Chief Secretary to Government*): Yes; he was.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Was it considered by the Government that his duties as Lecturer would not prejudice his work as Secretary of the Public Library ?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say positively ; it must have been then considered.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I take it that the Government came to the conclusion that it would not prejudicially affect his work as Secretary to the Public Library ?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether he was the Warden of the Law College Hostel at that time?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know when he was appointed as Warden of the Law College Hostel?

MR. K. GEORGE (*Chief Secretary to Government*): It was only a year after his appointment as Honorary Secretary to the Public Library.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether, at the time of appointing him as Warden of the Law College Hostel, Government considered the question of his work, as Secretary, being prejudicially affected?

MR. K. GEORGE (*Chief Secretary to Government*): I do not find anything in the records to show that it was actually considered.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether the Government were not aware at the time he was appointed as Warden of the Law College that he was Secretary of the Public Library and also Lecturer in the Law College?

MR. K. GEORGE (*Chief Secretary to Government*): They must have been aware; but it is not pointedly referred to in the records.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): So, am I to understand whether the Government were not aware of it, or that they had not fully considered the question whether Mr. T. K. Velu Pillai would be able to discharge efficiently the duties as Lecturer in the Law College, as Secretary of the Public Library and also as Law College Hostel Warden, at the same time?

MR. K. GEORGE (*Chief Secretary to Government*): I am not in a position to answer that from the records now before me?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether, even after receiving my question, the Government have not referred to the records relating to the subject?

MR. K. GEORGE (*Chief Secretary to Government*): Yes. I have referred to the records; but this information, which the member now asks for, is not available in the records before me.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Then, may I know when the Government realised that all these three duties could not be efficiently discharged by the same individual at the same time?

MR. K. GEORGE (*Chief Secretary to Government*): I am afraid I have not got the information precisely about that here. Exact date is not given here.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know at whose suggestion or report it was found out that the same person could not discharge these three functions at the same time?

MR. K. GEORGE (*Chief Secretary to Government*): I am unable to say. There is nothing in the file to show that.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know the date of the earliest record on the file?

MR. K. GEORGE (*Chief Secretary to Government*): The earliest record that I have on the file is a letter dated 2-11-1931 from the Dewan to the Sarvadhikariakar.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know what the contents of that letter is?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot disclose that.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know whether, when the Government discovered that all these three offices could not be held by the same person, they informed Mr. Velu Pillai of the matter and asked him to relinquish the office which he would choose to relinquish?

MR. K. GEORGE (*Chief Secretary to Government*): No; they did not.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know whether there was any particular reason for terminating his office as the Secretary of the Public Library without giving him opportunity of either understanding the situation or of giving up anyone of the three offices he would choose to give up?

MR. K. GEORGE (*Chief Secretary to Government*): Government decided it themselves.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Was there any record to show that Mr. Velu Pillai was not discharging his duties, as Secretary of the Public Library, properly?

MR. K. GEORGE (*Chief Secretary to Government*): The answer to that question is there in the printed Questions and Answers.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): What I wish to know is whether there is anything to show that the work of Mr. Velu Pillai was not satisfactory.

PRESIDENT: The question has been answered.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know whether the Government have considered the question whether, in view of the fact that the Government have been terminating the office of Mr. Velu Pillai before the expiry of his term, he should not be consulted before passing final orders?

MR. K. GEORGE (*Chief Secretary to Government*): I said the Government decided the matter themselves. I cannot state anything further on that point.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Is there any particular reason for the Government deciding to discontinue his Library Secretaryship instead of his Law College Hostel Wardenship?

MR. K. GEORGE (*Chief Secretary to Government*): The reason is that they thought that it would be better to leave with him two allied appointments, namely, the Lecturership in the Law College and the Wardenship of the Law College Hostel.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): With reference to part (*g*), may I know why a copy of his protest could not be placed on the table?

MR. K. GEORGE (*Chief Secretary to Government*): It is a personal representation of the officer, made to the Government. It cannot be placed on the table.

Relieving Mr. T. K. Velu Pillai of the Secretaryship of the Public Library.

146. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) the date of appointment of Mr. T. K. Velu Pillai as Honorary Secretary to the Public Library Committee;

(*b*) whether any period was fixed for his appointment, and, if so, the duration of that period;

(*c*) the date on which he was relieved of that appointment: and

(*d*) the ground or grounds on which he was relieved?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*), (*b*), (*c*) and (*d*) The member is referred to the answer to interpellation No. 145 by Mr. A. S. Damodaran Asan on the subject.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether Mr. Velu Pillai was Secretary of the Public Library first, or Warden of the Law College Hostel first?

MR. K. GEORGE (*Chief Secretary to Government*): He was Secretary of the Public Library even before he was made Warden of the Law College Hostel.

MR. A. THANU PILLAI (*Trivandrum*): So, am I to understand that while he was Secretary of the Public Library he was appointed Law College Hostel Warden; and that, on the ground that he was Law College Hostel Warden he was deprived of the Office of the Secretary of the Public Library? When Mr. Velu Pillai was Law College Lecturer and also Law College Hostel Warden, he was made Public Library Secretary, I suppose?

MR. K. GEORGE (*Chief Secretary to Government*): It is not so.

MR. A. THANU PILLAI (*Trivandrum*): So, he was Public Library Secretary first.

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): Then, he was made——

MR. K. GEORGE (*Chief Secretary to Government*): He was Law College Lecturer; he was then made Secretary of the Public Library also; and then he became the Law College Hostel Warden also.

MR. A. THANU PILLAI (*Trivandrum*): And, on the ground that he was Law College Hostel Warden, he was deprived of the Secretaryship of the Public Library? Or, to deprive him of the Secretaryship of the Public Library, he was made Law College Hostel Warden?

MR. K. GEORGE (*Chief Secretary to Government*): I need not answer *that* question?

MR. A. THANU PILLAI (*Trivandrum*): May I know, Sir, whether this is a disability attaching to Mr. T. K. Velu Pillai, personally, or to any officer generally, the difficulty in holding the three offices at the same time. The answer says:

> "Government considered that it would not be possible for Mr. T. K. Velu Pillai to attend to the duties of the Honorary Secretary, Trivandrum Public Library, in addition to his duties as Lecturer, Law College, and the Warden of the Law College Hostel."

Is it an impossibility as regards Mr. Velu Pillai alone?

PRESIDENT: The answer is perfectly clear.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether it is impossible for an officer, generally, to hold more appointments than one? May I also know whether his successor is a full-time Secretary to the Public Library?

MR. K. GEORGE (*Chief Secretary to Government*): He is also a Professor in the Science College.

MR. A. THANU PILLAI (*Trivandrum*): Is he a full-time officer?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*); Is the Law College Lecturership a full-time or part-time appointment?

MR. K. GEORGE (*Chief Secretary to Government*): It is a full-time appointment now, I think.

MR. A. THANU PILLAI (*Trivandrum*): Is it not a part-time appointment; the Lecturership of the Law College? So far as I know, it is a part-time appointment.

MR. K. GEORGE (*Chief Secretary to Government*): I am sorry. The Lecturership is a part-time appointment. It is only the professorship that is a full-time appointment. Mr. Velu Pillai is a practising vakil too, I know.

Relieving Mr. T. K. Velu Pillai of his duties as Secretary of the Public Library.

147. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) when Mr. T. K. Velu Pillai, B. A., B. L., High Court Vakil, was appointed as Honorary Secretary of the Public Library;

(*b*) whether he was recently relieved of that duty; and

(*c*) if so, when and the reasons therefor?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*), (*b*) and (*c*) The member is referred to the answer to interpellation No. 145 by Mr. A. S. Damodaran Asan on the subject.

Relieving Mr. T. K. Velu Pillai of his duties as Honorary Secretary of the Trivandrum Public Library.

148. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) the date on which Mr. T. K. Velu Pillai was appointed Honorary Secretary to the Trivandrum Public Library Committee;

(*b*) the period for which he was appointed to hold the office;

(*c*) whether he has been relieved of his duties as Honorary Secretary:

(*d*) the grounds, if any, on which the Government passed the order to relieve him;

(*e*) whether it is a fact that he was relieved of the office on the ground that he could not hold the Wardenship of the Law College Hostel and the Secretaryship of the Library Committee along with his place as Lecturer in the Law College;

(*f*) whether the other members of the Law College staff have been Wardens of the Law College Hostel before;

(*g*) whether Mr. Velu Pillai was Warden on a previous occasion, and, if so, for what period and when;

(*h*) whether Mr. Velu Pillai was not Secretary to the Library Committee when he was appointed Warden this time;

(*i*) whether they then adverted to the possibility or otherwise of Mr. Velu Pillai holding all the offices;

(*j*) why they changed their views;

(*k*) whether there was any reason for the change of views;

(*l*) whether the Law College Principal or the High Court recommended to the Government that Mr. Velu Pillai should be relieved of the post of Honorary Secretary;

(*m*) whether there was any report made to the Government by the Library Committee or the High Court that there was slackness or delay in the work on account of combination of the offices;

(*n*) whether Mr. Velu Pillai was given a choice between the Honorary Secretaryship and the Wardenship; and

(*o*) whether he was asked if he would be able to look after the duties of both the offices, and, if not, why not?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) to (*e*) The member is referred to the answer to interpellation No. **145** by Mr. A.S. Damodaran Asan on the subject.

(*f*) The answer is in the affirmative.

(*g*) Mr. T. K. Velu Pillai has been Warden of the Law College Hostel for 2 years without any remuneration, from 1925—27.

(*h*) The answer is in the affirmative.

(*i*) The answer is in the negative.

(*j*) and (*k*) These do not arise, in view of the answer to part (*i*).

(*l*) to (*o*) The answer is in the negative in each case.

Relief of Mr. T. K. Velu Pillai of the Secretaryship of the Trivandrum Public Library.

149. **MR. JOSEPH KUNJU** (*Changanachery* cum *Peermade*): Will the Government be pleased to state:

(*a*) the reason or reasons why they removed Mr. T. K. Velu Pillai from his office as Secretary to the Trivandrum Public Library before the termination of his tenure of office;

(*b*) the name of the person who held that office prior to the appointment of Mr. T. K. Velu Pillai to that post;

(*c*) the name of the candidate now appointed in the place of Mr. T. K. Velu Pillai;

(*d*) what substantive appointment he holds now (14-4-1107);

(*e*) his additional qualifications as compared to those of Mr. T. K. Velu Pillai; and

(*f*) the languages he is conversant with?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Government considered that it would not be possible for Mr. T. K. Velu Pillai to attend to the duties of the Honorary Secretary, Trivandrum Public Library, in addition to his duties as Elective Lecturer, Law College, and the Warden of the Law College Hostel.

(*b*) Mr. C. V. Chandrasekharan, M. A. (Oxon).

(*c*) Dr. K. L. Moudgil, M. A. (Cantab.), D. Sc., (Glasgow), F. I. C. (London).

(*d*) He is the Professor of Chemistry in His Highness the Maha Raja's College of Science, Trivandrum.

(*e*) Mr. T. K. Velu Pillai is a graduate in law. Dr. Moudgil has passed the M. A. degree examination of the Cambridge University and is a Doctor of Science of the University of Glasgow.

(*f*) He is conversant with English, Hindi, Urdu and Punjabi.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ലാ കാളേജിലെ എലക്ടീവ് ലക്‌ചറർ, സയൻസ് കാളേജിലെ കെമിസ്ത്രി പ്രൊഫസർ, ഈ രണ്ടു കൂട്ടരിൽ ആൎക്കാണു് കൂടുതൽ ജോലിയുള്ളതു്?

MR. K. GEORGE (*Chief Secretary to Government*): താരതമ്യപ്പെടുത്തി നോക്കിയിട്ടില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): പബ്ലിക്ക് ലൈബ്രറി സെക്രട്ടറിയായിരുന്ന മി: ടി. കെ. വേലുപ്പിള്ളയെ അദ്ദേഹത്തിനു ലാ കാളേജിലെ എലക്ടീവ് ലക്‌ചറർ ജോലിയും ഹാസ്റ്റലിൽ വാർഡൻ ജോലിയുമുണ്ടായിരുന്നതുകൊണ്ടാണു് അതിൽനിന്നും മാററിയതു് എന്നുപറഞ്ഞു. അതേസമയത്തു സയൻസ് കാളേജിലെ കെമിസ്ത്രി പ്രൊഫസറെ തൽസ്ഥാനത്തു നിയമിച്ചിരിക്കുന്നു. അതു് അദ്ദേഹത്തിന്റെ ജോലിക്കുറവുകൊണ്ടായിരിക്കുമോ?

MR. K. GEORGE (*Chief Secretary to Government*): അദ്ദേഹത്തിനു ഇപ്പോൾ ഈ രണ്ടു ജോലിയേയുള്ളു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മി: മൌഡ്ഗിൽ പരീക്ഷാ ബോർഡിൻെറ പ്രസിഡൻറാണോ?

MR. K. GEORGE (*Chief Secretary to Government*): തല്ക്കാലത്തേയ്ക്കു മാത്രം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഹിന്ദി, ഉറുഡു, പഞ്ചാബി എന്നീ ഭാഷകളിലുള്ള പുസ്തകങ്ങൾ ലൈബ്രറിയിൽ ഉണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): ചിലതെല്ലാം കണ്ടേയ്ക്കും; ഇംഗ്ലീഷ് പുസ്തകങ്ങളുണ്ട്; ഹിന്ദി പുസ്തകങ്ങളും ഉണ്ടെന്നാണ് എൻെറ അറിവ്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഉറുഡു, പഞ്ചാബി എന്നീ ഭാഷകളിലുള്ള പുസ്തകങ്ങളുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): നിശ്ചയമില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): പബ്ലിക്ക ലൈബ്രറി സെക്രട്ടറിയായിരിക്കുന്നയാൾ ഹിന്ദി, ഉറുഡു, പഞ്ചാബി മുതലായ ഭാഷകളെല്ലാം പഠിച്ചിരിക്കണമെന്നു നിർബന്ധമുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): ഇല്ല. ലൈബ്രറിയിൽ ഏതെല്ലാം ഭാഷകളിൽ പുസ്തകങ്ങളുണ്ടോ ആ ഭാഷകളെല്ലാം അറിഞ്ഞിരിക്കണമെന്നു നിർബന്ധമില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) പബ്ലിക്കലൈബ്രറിയിൽ സെക്രട്ടറിയായിരിക്കാൻ കൂടുതൽ യോഗ്യതയുള്ളതുകൊണ്ടല്ല മി: മൌഡ ഗില്ലിനെ നിയമിച്ചതു. നേരെമറിച്ചു മി: ടി. കെ. വേലുപ്പിള്ളക്കു സമയമില്ലാത്തതുകൊണ്ടാണ് എന്നു ഞാൻ വിചാരിക്കുന്നതിൽ വിരോധമുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങിനെ ഒന്നും ഞാൻ പറഞ്ഞില്ല. മി: വേലുപ്പിള്ളയേക്കാൾ കൂടുതൽ യോഗ്യതയുള്ളതുകൊണ്ടാണ് മി: മൌഡ്ഗില്ലിനെ നിയമിച്ചതെന്നു സംശയിക്കത്തക്കവണ്ണം ഞാൻ ഒന്നും പറഞ്ഞില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മി: മൌഡ്ഗില്ലിനു മി: ടി. കെ. വേലുപ്പിള്ളയേക്കാൾ കൂടുതൽ യോഗ്യതയുള്ളതുകൊണ്ടല്ല ഇങ്ങനെ നിയമിച്ചതെന്നു ഞാൻ വിചാരിക്കുന്നതിൽ വിരോധമുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങനെ കൂടുതൽ യോഗ്യതയുള്ളയാളാണെന്നു വിചാരിച്ചാണു നിയമനം നടത്തിയതെന്നു വിചാരിക്കുന്നതബദ്ധമാണ്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): എന്റെ ചോദ്യത്തിനല്ല ഉത്തരം പറഞ്ഞത്. മി: ടി. കെ. വേലുപ്പിള്ളയെക്കാലം കൂടുതൽ യോഗ്യതയുള്ളതുകൊണ്ടാണ് മി: മൌഡ്ഗില്ലിനെ നിയമിച്ചത് എന്നു വിചാരിക്കാൻ പാടില്ല എന്നു ഞാൻ ധരിക്കുന്നതിൽ വിരോധമുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): ഇല്ല.

Honorary Secretary of the Trivandrum Public Library.

150. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether Dr. K. L. Moudgil, the newly appointed Honorary Secretary to the Public Library Committee, is acquainted with Malayalam or other vernacular, and

(*b*) whether there are no Tavancoreans fit to be appointed for the place?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) It is understood that Dr. Moudgil is proficient in certain Indian languages but not in Malayalam.

(*b*) The question was not considered.

Opening of a branch of the State-Aided Bank at Quilon.

151. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

(*a*) whether it is a fact that the Board of Directors of the State-Aided Bank, Travancore, intimated to the Government the desirability of opening a branch of the Bank at Quilon;

(*b*) the number of such intimations by way of resolutions or applications with their dates;

(*c*) whether it is a fact that the Government are against the proposal to open a branch of the State-Aided Bank at Quilon; and

(*d*) if the answer to part (*c*) is in the affirmative, the reasons for the same?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): (*a*) Yes.

(*b*) (i) Resolution of the Board of Directors dated the 15th January 1931 requesting permission to open branches of the Bank at Quilon and Cochin. [Subsequently, the Board of Directors sought permission for the opening of the Cochin Branch as a first instalment and this was granted].

(ii) Resolution of the Board of Directors dated the 31st August 1931 for the opening of a branch of the Bank at Quilon.

(iii) Letter dated the 8th October 1931 from the Chairman of the State-Aided Bank.

(iv) Letter dated the 17th November 1931 from the Chairman of the State-Aided Bank.

(v) Letter dated the 16th December 1931 from the Chairman of the State-Aided Bank forwarding a petition signed by some citizens of Quilon.

(*c*) No. Government have already accorded permission to open a branch at Quilon.

(*d*) This does not arise, in view of the answer to part (*c*) above.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With regard to part (*b*), may I know why, if the Government had allowed the request for opening a branch of the State-Aided Bank at Quilon, it was necessary for the Bank to pass a resolution again, and then to write a letter also?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The matter was under the consideration of Government.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know why the Government took such a long time to consider the question?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Some time was actually taken for the consideration of the question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) Did they take so much time to consider the question of opening branches of the Bank in other places?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): In this case so much time *was* taken.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know why, in this case, Government wanted so much time?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): That cannot be explained.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Are the reasons private?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I have nothing more to say.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether any other Bank had requested Government not to sanction the opening of a branch of the State-Aided Bank at Quilon?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): So far as I know, there has been no such request.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Has any bank petitioned the Government like that?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): No.

Appendix I.

***Vide* Answer to Question No. 121.**

Statement showing the recovery of abkari arrears during 1101-1106.

Year.	Demand.			Collection.			Written off.			Balance.		
	Rs.	Chs.	C.	Rs.	Chs.	C.	Rs	Chs.	C.	Rs.	Ch.	C.
1101	32,563	14	2	3,645	3	13	7,093	2	7	21,825	7	14
1102	31,956	12	8	2,550	5	3	2,415	23	14	26,990	11	7
1103	33,526	11	13	4,998	14	12	12,344	8	12	16,183	16	5
1104	24,537	15	8	1,577	15	12	1,544	11	14	21,415	15	14
1105	23,427	11	0	964	17	5	..	..	..	22,462	21	11
1106	39,975	10	5	3,857	26	1	9,995	13	11	26,121	26	9

N. B.—The demand for each year includes the balance shown for the preceding year.

Appendix II.

Vide Answer to Question No. 122.

Statement showing the appointments and confirmations made by the Account Officer during 1106-1107.

Confirmations in Class III—Rs. (40-5-70) scale.

Messrs.

1. K. Achuthan Pillai, B. A., B. L
2. K. M. Kuruvilla, B. A.
3. B. Chitrabhanu Pillai.
4. C. Padmanabha Pillai, B. A.
5. James Gabriel, B. A.
6. S. Sitarama Aiyar, B. A.
7. R. Govinda Pillai, B. A.
8. N. Thanu Pillai B. A., B. L. (Provisional).

Nos. 1 and 2 were recruited directly to this grade and had acted for over 7 years, while

Nos. 3 to 7 had substantive appointments as Lower Grade clerks (pay Rs. 25—50); and

No. 8 had substantive appointment in the Central Stamp Depot as Head Accountant.

Confirmations in the Lower Grade—Rs. (25-5/2-40-5/3-50).

Messrs.

1. N. Balalochanan Tampi.
2. K. K. Padmanabha Pillai, B. A.
3. M. K. Nilakanta Menon, B. A.
4. C. O. Kesavan.
5. H. Ramalingam Aiyar.
6. G. Ranga Aiyar, B. A.
7. N. Raman Pillai, B. A.
8. J. P. Subrahmanya Aiyar.
9. V. S. Bava Kasim (Provisional).

All these men had acting service ranging from 3 to 9 years at the time of confirmation.

Acting appointments in the Lower Grade.

Messrs.

1. A. G. George, B. A.
2. M. Madhavan Nayar, B. A.
3. M. N. Ramakrishna Pillai, B. A.
4. M. A. Narayanan, B. A.
5. K. Govinda Pillai, B. A.
6. K. Harihara Aiyar, B. A.
7. K. C. Kuriyan, B. A.
8. P. S. Bhagavatisvara Aiyar, B. A.
9. E. Udaya Varma Raja, B. A.
10. M. Aliar Kunju, B. A. (not joined duty).

Appendix III.

***Vide* Answer to Question No. 123.**

Statement showing the extent of lands assigned to members of the depressed classes during 1104-1106.

Survey No.	Name of taluk.	Extent.		Area alienated.	
		Acres.	Cents.	Acres.	Cents.
1	Tovala ...	14	33	..	22
2	Agastisvaram ...	1	30·830	...	...
3	Kalkulam ...	39	89	...	...
4	Vilavankod ...	236	96	...	...
5	Neyyattinkara ...	7	82	...	88
6	Trivandrum ...	58	13	...	...
7	Neduvangad ...	164	18	...	...
8	Chirayinkil ...	23	14	2	15
9	Quilon ...	1	40	...	...
10	Karunagapalli ...	1	91	...	...
11	Kartikapalli ...	5	28½	...	53
12	Ambalapuzha ...	51	24	...	14
13	Kottarakara ...	172	4	3	49
14	Kunnattur ...	194	89	...	25
15	Mavelikara ..	4	27	...	...
16	Tiruvalla ...	45	83	3	...
17	Pattanamtitta ...	68	82	...	...
18	Pattanapuram ...	45	87	...	...
19	Shencotta ...	...	...	...	...
20	Changanachery ...	20	10	2	60
21	Kottayam ...	7	55	...	...
22	Shertallai ...	4	13½	...	...
23	Vaikam ...	7	87·983	...	...
24	Minachil ...	117	93	...	...
25	Muvattupuzha ...	118	57	9	77
26	Todupuzha ...	404	62	...	19
27	Kunnatnad ...	50	46½	2	60
28	Parur ...	5	24	...	...
29	Peermade ...	7	14	...	...
30	Devicolam ...	...	....	...	...

Appendix IV.

***Vide* Answer to Question No. 124.**

Statement showing the allotment and disbursement of agricultural loans during 1106—1107.

Name of Division.	Year.	Amount allotted.			Amount Disbursed till 30-3-1107.			Castes of the recipients of the loans.																	
								Brahmins.			Christians.			Nayars.			Ezhavas.			Muhamedans.			Other Hindus.		
		Rs.	ch	c.	Rs.	ch	c.	Rs.	ch	c.	Rs.	ch	c.	Rs.	ch	c.	Rs.	ch	c.	Rs.	ch	c.	Rs.	ch	c.
Trivandrum ...	1106	85,340	0	0	73,992	0	0	12,697	0	0	4,020	0	0	33,064	0	0	2,575	0	0	7,873	0	0	13,763	0	0
	1107	91,500	0	0	11,051	0	0	229	0	0	305	0	0	3,088	0	0	1,627	0	0	5,598	0	0	204	0	0
Quilon ..	1106	1,13,664	0	0	99,754	2	0	2,402	4	0	31,685	5	8	45,441	17	8	9,338	23	8	6,833	14	0	4,152	21	8
	1107	94,500	0	0	17,980	12	8	2,290	5	0	3,409	23	0	8,061	12	0	508	26	0	2,951	22	0	758	8	0
Kottayam ...	1106	1,08,145	0	0	85,304	1	12	6,997	21	8	43,057	25	4	29,879	5	8	1,323	6	0	3,129	25	8	508	26	0
	1107	1,69,000	0	0	12,056	14	8	1,195	27	8	5,852	19	0	4,295	10	0	407	4	0	101	22	0	...	..	...
Devicolam ...	1106	15,050	0	0	13,384	23	0	...	...	...	12,417	24	0	966	27	0	...	.	...	...	.	...	...	...	...
	1107	21,000	0	0	508	26	0	...	...	...	508	26	0	...		..	..	...	...	...	...		...	...	...

Appendix V.

***Vide* Answer to Question No. 125.**

Statement showing the attachment and sale of properties for tax in 1106.

Division.	Number of defaulters whose immovable properties were sold.	Number of cases in which movables were seized and sold.	Number of cases where lands belonging to defaulters were taken possession of and proceeds collected.
Trivandrum ...	749	157	...
Quilon ...	1,550	122	...
Kottayam ...	166	201	...
Devicolam ...	193	...	...
Total ...	2,658	480	...

Appendix VI.

***Vide* Answer to Question No. 134.**

Statement showing the applications for agricultural loans in Karunagapalli taluk during the years 1106 and 1107.

Name of taluk.	No. of applications received in		Total amount applied for in		No. of applications that were granted.	Total amount granted.			Amount disbursed till 14-4-1107.			Amount that remains to be disbursed.		
	1106	1107	1106	1107		Rs.	Chs.	C.	Rs.	Chs.	C.	Rs.	Chs.	C.
			Rs.	Rs.										
Karunagapalli ...	132	176	71,769	85,680	80	32,732	10	...	28,660	26	...	4,071	12	...

Appendix VII.

Vide **Answer to Question No. 135.**

Statement showing the applications for agricultural loans in Quilon taluk during the years 1106 and 1107.

Name of taluk.	No. of applications received in		Total amount applied for in		No. of applications that were granted.	Total amount granted.			Amount disbursed till 14-4-1107.			Amount that remains to be disbursed.		
	1106	1107	1106	1107		Rs.	Chs.	C.	Rs.	Chs.	C.	Rs.	Chs.	C.
			Rs.	Rs.										
Quilon ...	48	23	34,050	20,030	17	15,850	...	...	13,850	...	...	2,000	...	...

NEW PRESIDENT'S WELCOME ADDRESS TO THE HOUSE.

PRESIDENT : Before we go on to the next item of business, as this is the first meeting over which I have the honour to preside, I wish to welcome you all and to express the hope that we will work together for the good of the State and in loyalty to His Highness the Maha Raja.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): On behalf of the members of this House, elected and nominated, Sir, I assure you that we extend to you our hearty co-operation in seeing that the object of the institution of this Council is fulfilled as much as possible.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, I question the right of the *nominated* Deputy President to represent the *elected* section of the Council. With all respect to him I do that.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): It is on behalf of those members whom I have consulted that I am speaking. If my friend does not allow me to represent him it may be taken that I am speaking on behalf of others who have agreed to it.

As you are aware, Sir, this Council has been in existence for forty-four years, and has been functioning in its present form for about a decade. During this period, we have been legislating and enacting laws, not only on the lines of the statutes in force elsewhere, but also Regulations, original in their nature, which have been adopted as models by other legislatures. We now have extended powers conferred upon this House. These have been exercised by us, on this side of the House, with moderation and care, trying our best to help the Government in the proper administration of the State, by bringing, to the notice of Government, the excesses of their officers, and also by placing within reach matters which really work hardship on the people. We sincerely trust, Sir, that, in your stewardship, you would maintain the traditions of this House, and enable this Council to see that the purpose for which it has been established is fulfilled to the largest extent possible.

MR. A. THANU PILLAI (*Trivandrum*) : Sir, I may assure you that when Mr. Kunjukrishna Pillai raised a voice of protest when the Deputy President began to speak in response to what you said from the Chair, he did not mean to suggest that your hopes cannot be expected to be realised so far as it lies legitimately within the province of the non-official members of this House. We are always prepared to co-operate to the fullest extent possible, with the Government, in all that they do for the advancement of the interests of the people; and I assure you that you can expect the whole-hearted support from us in all that the Government are doing on behalf of the people of the State. I also wish that your administration may be crowned with success, and that at the time you lay down your office you would be in a position to look back and say that the interests of the State have advanced during your stewardship.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : In view of the explanation given by Mr. Thanu Pillai about my conduct, I do not think any words

[Mr. K. Kunjukrishna Pillai.]

are necessary from me. I am sure that my friend the Deputy President would not misunderstand my protest against a nominated member speaking on behalf of the elected members. It is not a personal slight. Since he was a nominated member we could not, with self-respect, refrain from protesting against *his* speaking on *our* behalf. I had the painful duty of raising this protest once before when Mr. K. A. Krishna Aiyangar, of revered memory, also wanted to speak on *our* behalf. I do not stand behind anybody in extending to the Government our whole-hearted co-operation in all fields of work in which the interests of the people, the safety of society and the progress of the State in general are concerned. I do not think it is necessary for me to emphasise that. I hope you will not misunderstand me, Sir.

REFERENCE TO THE LATE RAO BAHADUR K. A. KRISHNA AIYANGAR.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Sir, I rise again to discharge a painful duty, the duty of bringing to the notice of this House the sad and sudden death, after this House adjourned last time, of one of its esteemed members, and its then Deputy President, I mean, Rao Bahadur K. A. Krishna Aiyangar. At that time, he was hale and hearty; in fact, he was moving about the State and visiting several stations in connection with the work of this Council. He held meetings of the Select Committee on the Kshatriya Bill and collected evidence at several places as desired by this Council. When he reached this town to preside over the meetings of some Select Committees appointed in connection with certain Bills now before the Council, he took suddenly ill and passed away.

Mr. Krishna Aiyangar was born of poor parents in one of the suburban villages of the headquarters of the neighbouring District of Tinnevelly. He studied in the local Maha Raja's College, and after graduating there, took up service as an attache in the Dewan's Office, which corresponds to the present Secretariat. After a short period, he resigned that appointment and took up the Headmastership of the Town High School, one of the flourishing institutions of the grade in this town at that time. He continued there for only a short period. Then he took his degree in law and joined the Bar of the High Court here. A short time afterwards, he shifted the scene of his labours to Alleppey, where, within a few years, he became the accredited leader of the Bar, which place he occupied for nearly three decades. Of his achievements at the Bar, this is neither the place nor the occasion to expatiate upon. But it may be said that, during the last two decades, he took a prominent part in seeing that differences between the members of several leading and opulent families in Central and North Travancore were settled out of court, and that the disputes between members of leading trading concerns there, were also similarly settled by him. Thereby the parties affected by such differences were saved from ruinous litigation. He was for a long time the President of the Alleppey Municipal

Council; and it may be said that Alleppey owes much to him. He was very popular among all communities, and several people flocked to him for advice. He was sometimes referred to as the uncrowned head of Alleppey. He was taking a leading part in several of the public movements in the State. He enjoyed the confidence of the Government as well, to a large extent. He was invited by them to be a member of the Salaries Committee and to be the Chairman of the Excise Committee, and of the University Committee. He was also appointed Chairman of two other Committees *viz.*, the Assembly Reforms Committee and the Irrigation Committee; but he resigned those offices before the reports were submitted to Government. He was connected with this Council for a long time and was its Deputy President for two full terms, and continued to be the Deputy President of the present Council also for over a year. It was, as I have already pointed out, when he was engaged in the work of this Council that he took suddenly ill and passed away.

Sir, it is therefore but fair that we express our appreciation of the invaluable services rendered by him, especially as he had been responsible on several occasions for bridging the gulf between the members of this House, caused by sharp differences of opinion between them. It is therefore but due to us to express ourselves warmly appreciating his work and place on record our deep sorrow on his sudden and sad death. I would therefore propose that this House place on record its warm appreciation of the invaluable services rendered to it by Rao Bahadur Krishna Aiyangar, and its deep sorrow at his sad and sudden death and communicate the same to the members of his family.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Sir, with your permission, I desire to say that we, on this side of the House, fully appreciate all that has been said by the learned Deputy President regarding the late Mr. Krishna Aiyangar. I knew him and enjoyed the privilege of his valued friendship perhaps for a much longer period than any other member now sitting in this Council. Mr. Krishna Aiyangar had a genius for making friends, and was incapable of making any enemies. He is one of whom Travancore might well be proud. He was an eminent Travancorean; and I should say he was a great Indian. As regards his knowledge of law and his personal influence in this country, I need not dilate upon. On those rare occasions when he had the privilege of presiding over this Council, he endeavoured his utmost to uphold the dignity of the House and to maintain its privileges. I do not, however, mean to say that his rulings from the Chair have always been invariably correct, nor do I, even at this moment, concede that the weight of his great and undoubted influence had always been cast on the popular side.

PRESIDENT: I think I can take it that the whole House agrees to what the two members have said; and we may place on record the great loss the Council has sustained in Mr. Krishna Aiyangar's early death, and also convey to his family our sorrow for his death and our appreciation of his valuable services.

ADJOURNMENT MOTION.

Mr. K. Kunjukrishna Pillai handed over to the President notice of a motion for the adjournment of the business of the House.

PRESIDENT Mr. Kunjukrishna Pillai asks leave to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the conduct of the Police towards the persons arrested at Alleppey in connection with the disobedience of prohibitory orders issued by the District Magistrate, Quilon.

This matter is now being enquired into by the District Magistrate, Quilon. A definite enquiry has been ordered by Government, and I do not consider it in the public interests to allow this motion.

Legislation.

THE POLICE REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move that the Bill to amend the Travancore Police Regulation, VI of 1094, be taken up for consideration.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The motion was put and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); Sir, no notice of any amendments to the provisions contained in the Bill has been given. I think therefore that the clauses may be put.

The question that the preamble and clauses 1 and 2 of the Bill do form part of the Bill was then put and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that the Bill be taken up on a subsequent day and passed.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The motion was carried.

THE TRAVANCORE TOWN-PLANNING BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); Sir, I rise to present the report of the Select Committee on the Travancore Town-Planning Bill and beg to move that the Bill as reported be taken up for consideration.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Mr. President, Sir, I rise to a point of order. As required by Standing Order No. 35, the report of the Select Committee has to be published in all the languages in which the original Bill was published. But, in this case

the publication has been made in English and in Malayalam; but no publication has been made in Tamil. Here is a member who knows only Tamil. It is absolutely impossible for him to vote on the Bill. So, I emphatically raise my protest against the consideration of the Bill at present.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*). Is the member sure that the original Bill was published in Tamil also?

MR. K. NARAYANAPERUMAL NADAR (*Agustisvaram*): In the Gazette dated 12th April 1932, I find its publication only in Malayalam and in English.

Further, there are many clauses in the Bill; and we have to study them before sending in our amendments. If the omission for publication is only of a small Bill with just one or two clauses, I can understand that.

PRESIDENT: You are wandering from your first point. If the Bill was not originally published in Tamil, your point of order does not arise.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): The member has not answered my question.

PRESIDENT: I do not think you are entitled to compel the member to answer your question.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): This is a clear violation of Standing Order No. 35.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Sir, the member has not answered me.

PRESIDENT: Mr. Nadar, was the original Bill published in Tamil?

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Yes, Sir, it *was* published in Tamil.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In which Gazette was it published in Tamil?

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): It *was* published in Tamil. I will challenge the Law Member on that point.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I want to know the date of the Gazette.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): I do not know the date of the Gazette. But I can assure him that it *was* published in Tamil.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): At present, I am prepared to accept the assurance given by the member that the original Bill was published in Tamil. But in fairness to me and to the House, having known, before he came here this morning, that the original Bill was published in Tamil and that the Select Committee's report has not now been published in Tamil, he ought to have given me timely information of it. Then, I would have come better prepared to meet the point.

MR. S. KRISHNA PILLAI (*Karunagapalli*): How does the member know that Mr. Nadar knew of this even before he came here this morning? Why should the member make such inferences which are not warranted by facts?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mr. Nadar himself has stated that he could challenge me that the original Bill was published in Tamil; and yet he couldnot give the date of the publication because the Gazette was not with him; that means that he saw the Tamil publication before he came here.

MR. K. NARAYANAPERUMAL NADAR (*Agastiswaram*): May I know the duties of the Law Member, please?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That question is irrelevant. We are now at the point of order raised by the member, and I was saying that, in fairness, he could have told me of it before he raised his objection now, so that I might have been in full possession of the facts of the case and reply to the doubts of the member.

MR. A. THANU PILLAI (*Trivandrum*): Sir, does the Law Member suggest that there is an obligation on the part of the members of this House to give him, or the Secretary to the Legislative Council, timely information of such matters?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The expression "*in fairness*" has an acknowledged meaning. I believe that it implies that there is no *obligation*. As it is, Sir, I have no objection to the consideration of the Bill being postponed. But, I may say that there is no Standing Order which says that the Bill *cannot* be taken up for consideration because it has not been published in Tamil. If Mr. Nadar can enlighten the House by pointing out the Standing Order that he relies on, I shall be very thankful to him.

MR. K. NARAYANAPERUMAL NADAR (*Agastiswaram*) Standing Order 35 clearly says that the second reading of a Bill could be had only if the publication of it as revised by the Select Committee is made in all the languages in which the original Bill had been published. The original Bill was published in three languages. Now, the publication of the Bill as revised is found only in two languages. It follows from this as the tail follows the head, that the second reading of the Bill cannot be proceeded with. There is a saying in Tamil which is appropriate to the reply now given by the Law Member—"இருட்டைக்கொண்டு ஓட்டையை அடைக்குகிறதுபோல்" *i. e.*, attempting to conceal a hole or leakage with darkness, or hiding a hole in darkness and pointing out that there is no leakage or hole. The reply given by the Law Member is extremely unsatisfactory. I, therefore, beg to point out that the second reading of the Town-Planning Bill should be postponed.

PRESIDENT: I do not think that the omission pointed out by the member is fatal to our proceeding with the consideration of the Bill. I overrule the objection raised.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): I rise to another point of order. Sub-clause 1 of Standing Order 37 lays down that a copy of the report and of the Bill should be made available to the members seven clear days before the day of the meeting.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): When did the member get the copies of the Report?

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): I got it on the 4th of this month. I do not think I am the only person who had this misfortune.

PRESIDENT: Is there any other member who objects to the consideration of the Bill at the present moment for this reason?

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): I also object, to the consideration of the Bill being proceeded with, on this ground.

PRESIDENT: You did not get the copy of the Report in time?

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): No.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Did the member get a copy of the report of the Select Committee at least though not of the Bill as amended?

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): I got the Report only on the 4th Medam.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, there is a Standing Order which says that the report of the Select Committee must be made available to the members not less than seven days before the date of the meeting at which it is to be taken up for consideration. At the same time there is the provision that that standing Order could be suspended by the President. Standing Order 37 says:

> "After the presentation of the final report of the Select Committee on a Bill the member in charge may move:
>
> (i) that the Bill as reported..........be taken into consideration, but any member may object........if a copy of the report has not been available........for seven days ....; and such objection shall prevail *unless the President in the exercise of his power to suspend this order* allows the report to be taken into consideration;......."

Anyway, if the members seriously object to the Bill being proceeded with now, on the ground that they had no facility or time to send in their amendments, I have no objection to postpone the consideration of the Bill till tomorrow. But, if it is merely a technical objection that is now being raised, I should point out that there is Standing Order 37 under which the President can suspend the provision which lays down that copies of the report should be made available to the members seven days before the date of the meeting.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Has any member sent up notice of any amendment to this Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, there is Mr. Narayanaperumal Nadar who has given notice of some amendments.

Rao Bahadur A. Venkatarama Aiyar (*Nominated, Deputy President*) : I need hardly point out that the object of the Standing Order is that the copy of the report and that of the Bill as amended should be at the disposal of the members for a sufficiently long period to enable them to send up amendments. It is found from the Standing Orders that the members have to send up notices of their amendments six clear days before the date of the meeting. Under Standing Order 37, the members have to be supplied with copies of the Bill seven clear days before the date of the meeting. This clearly shows that the provision is intended to enable the members to send up their amendments in time. It is not a mere technical objection as the Law Member points out. I think, in such matters, a liberal construction must be put on the provisions; and we must see that the provisions regarding notices are complied with so as to enable the members to discharge their duties properly. In an important Bill like this, *viz.*, the Town-Planning Bill, it would be rather anomalous to hurry its consideration like this.

President : The consideration of the Bill may be postponed till to-morrow.

Mr. Kayalam Paramesvaran Pillai (*Additional Head Sirkar Vakil*) : Yes, Sir. Mr. Chandi, or any other member, can give notice of amendments, to the Secretary, in the course of the day.

Mr. A. S. Damodaran Asan (*Mavelikara cum Kartikapalli*) : I am not able to understand the Law Member, if, as the Deputy President said, the rule is strict and must be observed.

Mr. Kayalam Paramesvaran Pillai (*Additional Head Sirkar Vakil*) : Mr. Venkatarama Aiyar has totally misunderstood what I said. There is no doubt about the rule or its interpretation. That is quite clear. All that I said was that the rule is one that may be suspended by the President. Mr. Venkatarama Aiyar said that amendments would require six days' notice. True, but he has not noticed that that rule also can be suspended by the President, and that is why I said that any member may send amendments today and that I shall not object to it.

Rao Bahadur A. Venkatarama Aiyar (*Nominated, Deputy President*) : Some of the members could not send up amendments six days before the date of the meeting as provided in the rules, because they did not get the Bill seven clear days before the date of the meeting.

President : There need be no further discussion on the point. The question has been decided. The consideration of the Bill has been postponed for to morrow.

Mr. S. Krishna Pillai (*Karunagapalli*) : Are not the other members entitled to get notice of the amendments to be proposed? As it is, till about 5 o' clock this evening, the members can give notices amendments.

Mr. Kayalam Paramesvaran Pillai (*Additional Head Sirkar Vakil*) : They are at perfect liberty to send in amendments to the Bill any time this day and we may take them up for consideration to-morrow,

MR. S. KRISHNA PILLAI (*Karunagapalli*): But when will they be circulated to us? Are we not entitled to notice of the amendments proposed?

MR. A. THANU PILLAI (*Trivandrum*): I suppose, the Standing Orders are not meant so much to be suspended as to be observed.

PRESIDENT: The question has already been decided and you are not allowed to speak on it, Mr. Thanu Pillai.

THE TRAVANCORE JENMI AND KUDIYAN REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to present the report of the Select Committee on the Jenmi and Kudiyan Regulation Amendment Bill, which was recommitted to a Committee at the last meeting of the Council, and I beg to move that the Bill as reported be taken up for consideration. I may mention that, when this Bill was taken up for consideration on the last occasion, a motion was passed that the Bill should be recommitted to a fresh Select Committee to report on certain points and that the Committee should submit the necessary legislative provisions. In accordance with that reference, the Committee has met and taken evidence on the point of reference, and has adopted a formula and made the necessary legislative provisions. The report has now been placed before the House for consideration. I must explain, however, one particular point. The formula that has been adopted has been mentioned in the report and that has been implemented by the revised Bill. But, in the acceptance of the formula there has been a difference of opinion between the majority and the minority in the Committee, the minority being the jenmi members. Their point of view is that this formula could be accepted only if the Government would undertake to collect their dues. That is a point which is for the Government to decide. They have not yet decided. The majority in the Committee however are quite agreeable to the Government undertaking the responsibility of collecting the jenmies' dues. But, the Government are not just now in a position to say one way or the other. I am prepared to concede that *prima facie* the jenmies' demand seems worthy of consideration; but the matter has to be examined from various aspects. The only thing that Government can assure at present is that they will seriously consider the matter. That being so, I should not have, under ordinary circumstances, brought forward this Bill for consideration at this meeting *i. e.*, to say, before the Government have decided this question one way or the other. But, I have brought it up now, because, at the last meeting, when the Bill was recommitted, a mandate was given by the Council that the Bill must be brought forward at this meeting. It is in obedience to that mandate that I am placing the Bill for the consideration of the House now.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സർ, ജന്മികുടിയാൻ ബില്ലിനെ സംബന്ധിച്ചു രൂപീകരിച്ചിട്ടുള്ളതായ സിലക്ററുകമ്മിററിയുടെ റിപ്പോർട്ടു ഇവിടെ സമർപ്പിക്കയും അതു് ഈ കൗൺസിലിൽ ആ

[Mr. C. Tuppan Namputiripad.]

ലോചനയ്ക്കു് എടുക്കുകയുമാണു് ഇപ്പോൾ ചെയ്തിട്ടുള്ളതു് എന്നു ഞാൻ വിചാരിക്കുന്നു. സിലക്ററുകമ്മിററിയിൽ മെജാർട്ടി റിപ്പോർട്ടിനെ ഏറെക്കുറെ ഞങ്ങളും അനുകൂലിച്ചതുകൊണ്ടാണു് ഇപ്പോൾ ഈ റിപ്പോർട്ട ഇവിടെ സമർപ്പിക്കാൻ ഇടയായതു്. എന്നാൽ അതോടുകൂടി ചേർത്തിട്ടുള്ളതായ നക്കൽബിൽ ഞങ്ങൾ പൂർണ്ണമായി സ്വീകരിച്ചിട്ടുള്ള ഒന്നല്ല. അതിലെ തത്വം ഞങ്ങൾ സ്വീകരിക്കുന്നു. അതിനുള്ള പ്രധാനകാരണം, ജന്മിമാക്കു ഈ തത്വം സ്വീകരിക്കുന്നതിൽ ഏറെക്കുറെ വലുതായ നഷ്ടമുണ്ടെങ്കിലും മേലാൽ ജന്മിയും കുടിയാനും തമ്മിൽ സൌഹാർദ്ദത ഉണ്ടാകുമെന്നുള്ളതു മാത്രമാണു്. ഇങ്ങിനെ ജന്മിമാക്കു വലുതായ നഷ്ടമുണ്ടെങ്കിലും ജന്മിമാക്കു കിട്ടേണ്ട ആദായം പിരിക്കുക എന്നുള്ള ഭാരം ഗവന്മെൻറു വഹിക്കുമെന്നുള്ള ഒരു വിശ്വാസത്തിന്മേലാണു് ഞങ്ങൾ അതു സമ്മതിച്ചിട്ടുള്ളതും, സിലക്ററു കമ്മിററിയിലെ ഭൂരിപക്ഷം അംഗങ്ങളും ചേൎന്നു ശുപാർശ ചെയ്തിട്ടുള്ളതും. അതിനാൽ ജന്മിമാക്കു കിട്ടേണ്ടതായ ആദായം പിരിച്ചുകൊടുക്കുന്നതിനുള്ള ചുമതല ഗവന്മെൻറു ഏല്ക്കുന്നപക്ഷം മാത്രമെ ഈ ബിൽ മേലാൽ ആലോചനക്കെടുക്കാൻ പാടുള്ളു എന്നാണു് ഞാൻ ഇപ്പോൾ ഇവിടെപറയുന്നതു്. ഈഭാഗം ഗവന്മെൻറു സ്വീകരിച്ചു ഒരു പ്രഖ്യാപനം ചെയ്യാതെ ഈ ബിൽ വാദപ്രതിവാദം ചെയ്തു തീർച്ചചെയ്യുന്നതായാൽ ജന്മിമാരുടെ കാൎയ്യം വലിയ നഷ്ടത്തിൽ കലാശിക്കും. അതിനാൽ ഗവന്മെൻറു അങ്ങിനെ ഒരു തീരുമാനം ചെയ്തശേഷമല്ലാതെ സിലക്ട്കമ്മിററി സമർപ്പിച്ചിട്ടുള്ള ബിൽ ആലോചനയ്ക്കെടുക്കാൻ പാടില്ലെന്നും, ഗവന്മെൻറു തീരുമാനത്തിനുശേഷം വേറെ ഒരു ബിൽ രൂപീകരിച്ചു ഈ കൗൺസിലിൽ ആലോചനയ്ക്കെടുക്കണമെന്നുമുള്ള എൻെറ അഭിപ്രായത്തെ ഞാൻ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

Mr. A. S. Damodaran Asan (*Mavelikara cum Kartikapalli*): ഗവന്മെൻറു അതു സമ്മതിക്കുന്നപക്ഷം ഈ ബില്ലുതന്നെ വാദപ്രതിവാദത്തിനു എടുക്കുന്നതിൽ എന്താണു് തടസ്ഥം?

Mr. C. N. Tuppan Namputiripad (*Jenmies*): ഗവന്മെൻറു അതു സമ്മതിക്കുന്നപക്ഷം ഈ ബില്ലിൽ പല ഭാഗങ്ങളും കൂട്ടതൽ ചേക്കാനും ഇപ്പോഴുള്ളതിൽ പല ഭാഗങ്ങളും എടുത്തുകളയുവാനും ഉണ്ടു്. ഇപ്പോൾ നെല്ലു വില ക്ലിപ്തം ചെയ്തിട്ടില്ല. പിരിവിനു ഓരോദേശങ്ങളിലും ജന്മികൾ അറകൾ ഉണ്ടാക്കിവയ്ക്കണമെന്നു ഇതിൽ പറയുന്നുണ്ടു്. ഗവന്മെൻറു പിരിവു ഭാരം കയ്യേല്ക്കുന്നപക്ഷം ആ വകുപ്പിൻെറ ആവശ്യമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ആ വകുപ്പു ഈ കൗൺസിലിൽനിന്നുംതന്നെ എടുത്തുകളയരുതോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ശരിയായ ഒരു ബിൽ രൂപീകരിച്ചു ആ ബില്ലു വേണം ഈ കൗൺസിലിൽ കൊണ്ടുവരാൻ. ബില്ലിലെ ഓരോ വകുപ്പുകളേയും തള്ളുകയും പകരം ഓരോ വകുപ്പുകൾ ചേർക്കുകയും ചെയ്യുക എന്നുള്ളതു ഈ കൗൺസിലിൽ സാധിക്കുമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. അഥവാ അങ്ങിനെ സാധിച്ചാൽതന്നെയും അതു ജന്മിമാർക്കും കുടിയാന്മാർക്കും പ്രയോജനകരമായ ഒരു വകുപ്പായിരിക്കുമെന്നും ഞാൻ വിചാരിക്കുന്നില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): സിലക്ട് കമ്മിററിയിൽ ആലോചിച്ചു തയ്യാറാക്കിയ ഒരു ബില്ലല്ലേ ഇതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സിലക്ട് കമ്മിററിയിലെ മെജാറിട്ടി അനുസരിച്ചു തയ്യാറാക്കിയ ഒരു ബില്ലാണു്. ഞാൻ മുമ്പു പറഞ്ഞതുപോലെ ഗവൺമെൻറു ആ തത്വം സ്വീകരിക്കുന്നപക്ഷം ബില്ലിൽ പലഭാഗങ്ങളും കൂട്ടിച്ചേർക്കേണ്ടതായും പലഭാഗങ്ങളും എടുക്കേണ്ടതായും ഉണ്ടു്. ജന്മിമാരുടെ വസ്തുക്കളിൽ ജന്മിമാർക്കുള്ള അവകാശത്തിനു ലക്ഷ്യമായിട്ടുള്ളതു പട്ടയം മാത്രമാണു്. ആ പട്ടയം ഏതുനിലയിലാണു് നൽകേണ്ടതു എന്നുള്ളതിനെപ്പററി ബില്ലിൽ വിവരിക്കണം. അതില്ലാതെ ഇന്നു ജന്മിമാരുടെ വസ്തുക്കൾക്കു കൊടുക്കുന്ന ആദായം കുറെ കഴിയുമ്പോൾ [illegible] ജന്മിമാർക്കു ഒരു പെൻഷനാണെന്നു പറഞ്ഞു നിർത്തിയാൽ പിന്നെ ജന്മിമാരുടെ അവസ്ഥ എന്തായിരിക്കും? അതിനാൽ ഓരോ ജന്മിമാരെ സംബന്ധിച്ചും ഒരു ശരിയായ സെററിൽമെൻറു നടത്തി ഇന്നവസ്തുവിൻെറ ആദായമാണു് അവർക്കു കൊടുക്കുന്നതു എന്നു വിശദമാകത്തക്കനിലയിൽ ജന്മിക്കും കുടിയാനും ഓരോ പട്ടയം കൊടുക്കണമെന്നുള്ള സംഗതികൂടി ഈ ബില്ലിൽ ഉൾപ്പെടുത്തേണ്ടതായിട്ടുണ്ടു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഗവൺമെൻറു പരിവുഭാരം സ്വീകരിച്ചില്ലെങ്കിൽ ഇപ്പോഴത്തെ ബില്ലുതന്നെ പാസ്സാക്കാമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതു പാടില്ല. ഇതിൽ ജന്മിമാർക്കു വലുതായ നഷ്ടമുണ്ടെങ്കിലും ഞങ്ങൾ ഇതിനു സമ്മതിച്ചതു് മേലാൽ കുടിയാന്മാരുടെ അടുക്കൽ ചെന്നു വഴക്കു പിടിച്ചു വ്യവഹാരപ്പെടാതെ ഞങ്ങൾക്കു ലഭിക്കാനുള്ള ആദായം ലഭിക്കുമല്ലോ എന്നു വിചാരിച്ചാണു. സർക്കാർ ഭഷേര

[C. N. Tuppan Namputiripad.]

യിൽചെന്നു എനിക്കുള്ളുന്ന ആദായം ഉണ്ട്; അതുതരണമെന്നു ഒരു ജന്മി ചോദിച്ചാൽ ഉടനെ കൊടുക്കണം. ഈ അഭിപ്രായമാണ് ഞാൻ സിലക്ട്കമ്മിററിയിൽ പ്രസ്താവിച്ചതു്. അങ്ങനെ വരുമ്പോഠം കോടതിയിൽ വ്യവഹാരങ്ങഠംകുറയും. അതിനാൽ ഗവണ്മെൻറു തീരുമാനത്തിനശേഷമല്ലാതെ ഈ ബിൽ ആലോചനയ്ക്കെടുക്കാൻ പാടില്ല എന്നുള്ള എൻെറ അഭിപ്രായത്തെ പ്രകടിപ്പിച്ചുകൊള്ളുന്നു. ഈ കൌൺസിൽ അവസാനിച്ചു പോകയില്ല; ഗവണ്മെൻറു തീരുമാനത്തിനുശേഷം സാവകാശത്തിൽ ഒരു ബിൽ തയ്യാറാക്കി മേലാൽ വഴക്കുണ്ടാകാതെയിരിക്കത്തക്കവണ്ണം നമുക്കു പാസ്സാക്കുകയുംചെയ്യാം.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): ഈ ബിൽ സിലക്ട്കമ്മിററിക്കു റി-കമ്മിററൽ ചെയ്യുകാലത്തു, ഗവണ്മെൻറു പിരിച്ചുതന്നാലെ സാധിക്കുകയുള്ളൂ എന്നു മെമ്പർപറഞ്ഞിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): പറഞ്ഞിട്ടുണ്ട്.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): പ്രൊസീഡിംഗ്സിൽകാണുന്നില്ല.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സിലക്ട്കമ്മിററിയിലാണ് ഞാൻ പറഞ്ഞതു്. അതുകൊണ്ടു് അതു് കൌൺസിൽ പ്രൊസീഡിംഗ്സിൽ കാണുകയില്ല.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*) ഈ ബിൽ സിലക്ട്കമ്മിററിക്കയച്ചപ്പോഠം വേറെയാതൊരു വ്യവസ്ഥയും ആവശ്യപ്പെടുന്നതല്ലെന്ന് ജന്മിമാർ ഏകാഭിപ്രായം പറഞ്ഞിട്ടില്ലേ?

PRESIDENT: Please allow the member to finish his point. Do you not think that it would be more useful to allow him to complete his speech and then attempt to question him, instead of having an incomplete knowledge of his speech?

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): റീ-കമ്മിററൽചെയ്യണമെന്നുള്ള അമൻറുമെൻറു കൊണ്ടുവന്നതു ഈ കൌൺസിലിലാണോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതെ.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): അപ്പോഠം ഈ ഭാഗം പറഞ്ഞിട്ടുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അപ്പോഠം ഈ ഭാഗം പറയേണ്ട ആവശ്യമില്ലായിരുന്നു. അന്നു കൌൺസിലിൽ പ്രസ്താവിച്ച ഭാഗം മുഴുവനും തള്ളി വേറെ ഒരു രൂപത്തിലാണ് റിപ്പോർട്ടു വന്നതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): ഗവണ്മെൻറു പിരിച്ചുതരണം'' എന്നുള്ള കാര്യം അപ്പോൾ പറയേണ്ട ആവശ്യമില്ലെന്നും ഇപ്പോൾ പറയേണ്ട ആവശ്യമുണ്ടെന്നും പറയുവാനുള്ള കാരണമെന്താണ്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ആ രീതിയനുസരിച്ചല്ല ഈ ബിൽ രൂപീകരിച്ചിട്ടുള്ളതു്.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): സമ്മതിച്ച തത്വത്തിനു വിപരീതമായിട്ടാണോ ഈ ബിൽ രൂപീകരിച്ചിട്ടുള്ളതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): വിപരീതമായി പല ഭാഗങ്ങളുമുണ്ടു്.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): ഉദാഹരണമായി ഒന്നു പറയാമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഗവണ്മെൻറു പിരിച്ചുതരുന്നപക്ഷം ദേശംതോറും ജന്മിമാർ അറകളും മാസപ്പടിക്കാരും ഏർപ്പെടുത്തേണ്ട ആവശ്യമില്ല. ഗവണ്മെൻറു പിരിച്ചുതരുന്നപക്ഷം നെല്ലിനു ഒരു റേററുവയ്ക്കേണ്ട ആവശ്യമുണ്ടു്. അതു വച്ചിട്ടില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതിലേക്കു പണം കണക്കാക്കണമെന്നാണോ പറയുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സാധനമായിട്ടു ഗവണ്മെൻറു പിരിച്ചു തരികയില്ലല്ലോ. അതുകൊണ്ടു ഒരു റേററു ക്ലിപ്തം ചെയ്യണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): റേററ് ക്ലിപ്തം ചെയ്തിട്ടുണ്ടു എന്നറിയാമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അങ്ങിനെ ചെയ്തിട്ടുള്ളതായിട്ടു കാണുന്നില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): റേററ് ക്ലിപ്തം ചെയ്തു ചേർത്തിട്ടുണ്ടു് എന്നു ഞാൻ പറഞ്ഞാൽ മെമ്പർ അതു വിശ്വസിക്കാമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അങ്ങിനെ പറഞ്ഞാൽ എനിക്കു ഒരു ട്രാൻസ്ലേറ്ററെ കൂടാതെ കഴിക്കാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) അർത്ഥിന്റെ മുമ്പിലത്തെക്കൊല്ലത്തെ കണ്ടേഴ്ചവിലയനുസരിച്ചു കൊടുക്കാമെന്നു പറഞ്ഞിട്ടുണ്ടു്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*) : അതു ബില്ലിൽഉണ്ടോ എന്നു ഞാൻ നോക്കിയിട്ടില്ല. ബില്ലിൻെറ മലയാള തർജ്ജിമ കിട്ടിയിരുന്നാൽ മനസ്സിലാക്കാമായിരുന്നു. ഏതായാലും ജന്മിമാർക്കു കിട്ടേണ്ട ആദായം ഗവണ്മെൻറു പിരിച്ചു തരുമെന്നുള്ള അടിസ്ഥാനത്തിലല്ല ഈ ബിൽ തയ്യാറാക്കിയിട്ടുള്ളതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : ആ തരത്തിലെഴുതാൻ സിലക്ട്കമ്മിററിക്കധികാരമില്ലെന്നറിയാമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*) : അറിയാം. അതിനാൽ ഗവണ്മെൻറിൻെറ അനുവാദം കിട്ടിയ ശേഷം ബിൽ തയ്യാറാക്കിയാൽ മതി.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*) : ആവശ്യമുള്ള ഭാഗങ്ങൾ ബില്ലിൽ ചേർക്കാൻ ഈ കൌൺസിലിനു അധികാരമില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*) : ഉണ്ടു്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*) : ഇനിയും ഒരു സിലക്ട്കമ്മിററി വേണമെന്നാണോ പറയുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*) : അല്ല. ഈ ബിൽ ഗവണ്മെൻറനുവാദം കിട്ടിയ ശേഷം അതനുസരിച്ചു രൂപീകരിക്കണമെന്നാണു് ഞാൻ പറയുന്നതു്. ബില്ലു പാസ്സാക്കുന്നതിനു കൌൺസിലിനു അധികാരമില്ലാതെയില്ല. പക്ഷെ അങ്ങിനെ ചെയ്യാൻ പാടില്ല എന്നാണു് ഞാൻ പറയുന്നതു്. സിലക്ട്കമ്മിററിയിൽ ഞാൻ ഇതൊക്കെ പ്രസ്താവിച്ചിട്ടുണ്ടു്. ആ അവസരത്തിൽ ഏറക്കുറെ എല്ലാവരും അതു സമ്മതിക്കയാണു് ചെയ്തതു്. ഈ നിലയ്ക്കു ഞങ്ങൾ നഷ്ടപ്പെട്ടതല്ലാതെ ഞങ്ങളുടെ അഭിപ്രായങ്ങൾ സ്വീകാര്യമല്ലാതെയാണു് വന്നിട്ടുള്ളതു്. അതിനാൽ ഗവണ്മെൻറു തീരുമാനം ഉണ്ടാകുന്നതുവരെ ഈ ഭേദഗതി ബിൽ ആലോചനയ്ക്കെടുക്കാൻ പാടില്ല. ഞങ്ങൾ വലുതായ നഷ്ടം സഹിച്ചും തത്വം സമ്മതിച്ചിട്ടുള്ളതു് ഗവർണ്മെൻറു പിരിച്ചു തരുമെന്നുള്ള വിശ്വാസം കൊണ്ടാണു്. ഞങ്ങളുടെ മിന്നറിപ്പോർട്ടു വായിച്ചു നോക്കിയാൽ അതറിയാം. ഈ ഭേദഗതി ബില്ലുതന്നെ ഞങ്ങൾ സമ്മതിച്ചിട്ടുള്ളതല്ല.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : ഗവണ്മെൻറു ഇടപെടാതെ ബില്ലിൽ പറയുന്ന സംഖ്യമുഴവൻ കൊടുക്കുവാൻ കൊണ്ടുവന്നു തന്നാൽ എന്താണു് വിരോധം?

MR. C. N. TUPPAN NAMPUTIRIPAD .(*Jenmies*): അതു സാദ്ധ്യമായിട്ടുള്ളതല്ല. ഞങ്ങൾക്കു കിട്ടുകയുമില്ല.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : അങ്ങിനെ കുടിയാൻ കൊണ്ടുതരികയാണെങ്കിൽ ഈ ഫാർമുലാ സ്വീകരിക്കുന്നതിൽ വിരോധമുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഒരിക്കലും അതു സമ്മതമില്ല. കുടിയാന്മാർ കൊണ്ടു തരുമെന്ന വിശ്വാസവും എനിക്കില്ല.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : 'തന്നാൽ' എന്നാണ് ചോദിച്ചതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : തന്നില്ലെങ്കിൽ ഞങ്ങൾ എന്തു ചെയ്യണം?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : 'തരുന്നപക്ഷം' എന്നാണ് ഞാൻ ചോദിച്ചതു്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): തന്നില്ലെങ്കിൽ ഞങ്ങൾ എന്താണ് ചെയ്യേണ്ടതു്?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): തന്നില്ലെങ്കിൽ ഈടാക്കാനുള്ള അധികാരമില്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): നഷ്ടം സഹിക്കാതെ ഈടാക്കാമെങ്കിലും വ്യവഹാരപ്പെടുമ്പോൾ മററു പല ബുദ്ധിമുട്ടുകളും ഉണ്ടു്.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : സ്റ്റാൻറിങ്ങ് ആർഡർ ൯൩-ാംവകുപ്പനുസരിച്ചു സിലക്റ്റ്കമ്മിററി റിപ്പോർട്ടു ഇവിടെ ഹാജരാക്കുന്നതിൽ മെമ്പർക്കു ആക്ഷേപമുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഇല്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): പിന്നെ ബില്ലിനെ എതിർക്കുകയാണോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ബിൽ ഈ കൌൺസിലിൽ അവതരിപ്പിക്കേണ്ട സന്ദർഭം ഇതല്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): റിപ്പോർട്ടു ഹാജരാക്കുന്നതിൽ തക്കമില്ല എന്നു പറഞ്ഞു. ബില്ലിനെപ്പററിയുള്ള തക്കം അതു വായനയെ്ക്കടുക്കുമ്പോൾ പറഞ്ഞാൽ മതിയല്ലോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ബിൽ വായനയെ്ക്കടുത്തിരിക്കയാണെന്നാണ് എൻെറ വിചാരം. എൻെറ ചേരുവിളിക്കയും ചെയ്യു.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഇപ്പോൾ ഇവിടെ ഹാജരാക്കിയിരിക്കുന്ന ബില്ലിൽ ഗവൺമെന്റു പണം പിരിച്ചുതരണം എന്നൊരു വകുപ്പുകൂടി ചേർത്താൽ ഈ ബിൽ പാസ്സാക്കുന്നതിൽ തടസ്ഥമുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ബിൽ ഞാൻ നോക്കിയിട്ടില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ബിൽ വായിച്ചുനോക്കിയില്ല എന്നുള്ള തടസ്ഥം മാത്രമേയുള്ളോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അല്ല. സിലക്ട്കമ്മിററിയുടെ തത്വത്തെ ഞങ്ങൾ സ്വീകരിച്ചു. എന്നാൽ അതനുസരിച്ചു അനേകം സംഗതികൾ ഇനിയും ചേർക്കേണ്ടതുണ്ട്. അതെല്ലാം നോക്കി ഒന്നുകൂടി പരിഷ്കരിച്ചു ഒരു ബിൽ ഇവിടെകൊണ്ടുവരികയാണു് വേണ്ടതു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): ഗവൺമെന്റു് പണം പിരിച്ചുതരുന്നുവെങ്കിൽമാത്രമെ ഈ ബിൽ ആലോചനയ്ക്കെടുക്കാവു എന്നോ, അതല്ല, അങ്ങിനെ ഒരു തീരുമാനം ഉണ്ടാകുന്നതുവരെ ഈ ബിൽ ആലോചനയ്ക്കെടുക്കാൻ പാടില്ല എന്നോ, ഏതാണു് തക്കം.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ജന്മിമാൎക്കു ഗവൺമെന്റു പണം പിരിച്ചുകൊടുത്തുകൊള്ളണമെന്നു ഒരു വിധിഉണ്ടായി ആ തത്വം അനുസരിച്ചു ബിൽ രൂപീകരിക്കേണ്ടതാണു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): അതുവരെ ഈ ബിൽ ആലോചനയ്ക്കെടുക്കാൻപാടില്ല എന്നാണോ പറയുന്നതു്?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതെ. ഒരിക്കലും പാടില്ല.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): ഗവൺമെന്റു പിരിച്ചുതരാമെന്നു ഏൽക്കുന്നപക്ഷവും ഒരു പുതിയബിൽ രൂപീകരിക്കണമെന്നാണോ മെമ്പരുടെ അഭിപ്രായം?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതെ.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): അപ്പോൾ ഇതുവരെയുള്ള സിലക്ട്കമ്മിററി റിപ്പോർട്ടുകളെല്ലാം കളയണോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതൊന്നും കളയേണ്ട. പക്ഷെ, ഈ തത്വത്തെ അടിസ്ഥാനമാക്കി കുറെ വകുപ്പുകൾകൂടി രൂപീകരിക്കണം, അതായതു് മേലാൽ ജന്മിയും കുടിയാനുംതമ്മിൽ യാതൊരിടപാടും ഉണ്ടാകാത്തവിധത്തിൽ ഒരു ബിൽ രൂപീകരിക്കണം.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): ഗവണ്മെൻറു് പിരിവുഭാരം ഏററില്ലെങ്കിൽ ഈ ബിൽ ആലോചനയ്ക്കെടുക്കാൻ സമ്മതിക്കയില്ല അല്ലേ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഇല്ല. ഈ ബില്ലിനെപ്പററി ഞങ്ങൾ ഗുണദോഷനിരൂപണം ചെയ്തിട്ടില്ല. എന്നാൽ ആ തത്വത്തെപ്പററി ഞങ്ങൾ ഒന്നു നിരൂപണംചെയ്തു് നോക്കിയിട്ടുണ്ടു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സിലക്ടു് കമ്മിററിയുടെ ഭേദഗതി നടപ്പിൽവരുത്തുന്നപക്ഷം കുടിയാന്മാർക്കു നഷ്ടമായിട്ടു വരുമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഒരിക്കലുമില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഏഴുതാലൂക്കുകളിലുംകൂടി ആകെ ൨൪൪ ആധാരം പരിശോധിച്ചതിൽ "ജന്മിക്കു ലാഭമായികണ്ട ആധാരം ൧൩൧ക്കു്" എന്നു് മെമ്പറുടെ റിപ്പോർട്ടിൽ പറയുന്നുണ്ടു്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ആ ഭാഗങ്ങളൊക്കെ തള്ളിപ്പോയി, അതൊന്നും സ്വീകരിച്ചിട്ടില്ല. തെളിവെടുത്തഭാഗങ്ങളൊന്നുംതന്നെ ഇതിൽ വന്നിട്ടില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): വേറെഒരുസിലക്ടു്കമ്മിററി നിയമിക്കണമെന്നു മെമ്പർക്കഭിപ്രായമുണ്ടോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അങ്ങിനെ ഒന്നും ഞാൻ പറയുന്നില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മെമ്പറുടെ ഇപ്പോഴത്തെ പ്രമേയം ഏതുവകുപ്പനുസരിച്ചാണു് കൊണ്ടുവന്നിട്ടുള്ളതെന്നു പറയാമോ?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഗവണ്മെൻറിൻെറ അനുമതികൂടാതെ ഈ ബിൽ ഇതേരൂപത്തിൽ പാസ്സാക്കുന്നപക്ഷം ജന്മിമാർക്കു കൂടുതൽ സങ്കടത്തിന്നിടയാകുമെന്നുള്ള ഒറവകപ്പിനെ അടിസ്ഥാനപ്പെടുത്തിയാണു് ഞാൻ ഈ പ്രമേയം കൊണ്ടുവന്നിട്ടുള്ളതു്. അതു ഏതുവകുപ്പാണെന്നു എനിക്കറിഞ്ഞുകൂട.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): ബില്ലിനോടു യോജിക്കാതെ ആ തത്വത്തോടു യോജിച്ചതെങ്ങിനെ [illegible]

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഗവണ്മെൻറു പിരിച്ചു തരുമെന്നുള്ള തത്വത്തിന്മേൽ ഞങ്ങൾ യോജിച്ചു. ഞാൻ ഇവിടെ തത്വം എന്നു പലപ്പോഴും പ്രസ്താവിച്ചിട്ടുണ്ട്. അതെന്താണെന്നു ഏറക്കുറെ സിലക്ട്കമ്മിററിയിലുള്ള അംഗങ്ങൾ എല്ലാവരുംതന്നെ മനസ്സിലാക്കിയിട്ടുണ്ടെന്നു ഞാൻ വിചാരിക്കുന്നു. ഈ വിഷയത്തിലുള്ള ഞങ്ങളുടെ പാണ്ഡിത്യക്കുറവുകൊണ്ടും, ആശയം സ്പഷ്ടപ്പെടുത്തുന്നതിനുള്ള അപ്രാപ്തികൊണ്ടും, ഈ സംഗതി എല്ലാവൎക്കും അറിയാവുന്നതുകൊണ്ടും ഇതിൽ കൂടുതൽ പറയേണ്ട ആവശ്യമുണ്ടെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. അതിനാൽ ഗവണ്മെൻറു പിരിവുഭാരം കയ്യേൽക്കുന്നതുവരെ ഈ ബിൽ ആലോചനയ്ക്കെടുക്കുവാൻ പാടില്ല എന്നുള്ള എൻെറ അഭിപ്രായത്തെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. N. RAMAN NAMUTIRIPAD (*Co-opted*): മി: തുപ്പൻനമ്പൂതിരിയുടെ അഭിപ്രായത്തെ ഞാൻ പിൻതാങ്ങുന്നു. എല്ലാവൎക്കും യോജിച്ചതായ ഒരു ബിൽ രൂപീകരിക്കാൻ ഇടനൽകണമെന്നുള്ള അഭിപ്രായം സിലക്ട്കമ്മിററിയിലെ ബാക്കിയുള്ള അംഗങ്ങളും വിശദമാക്കുമെന്നാണ് ഞാൻ ഉദ്ദേശിച്ചിരുന്നതു്. ഗവണ്മെൻറു നടത്തിയ റൌണ്ട്ടേബിൾ കാൺഫറൻസിൽ ജന്മിമാരും കുടിയാന്മാരും ഗവണ്മെൻറും യോജിച്ചു തീരുമാനിച്ചിട്ടുള്ളവിധത്തിലും ഗവണ്മെൻറു ഹാജരാക്കിയബില്ലിൽ സ്വീകരിച്ചിട്ടുള്ളവിധത്തിലും നിന്നുവളരെ നഷ്ടങ്ങൾ സഹിച്ചുകൊണ്ടാണ് സിലക്ട്കമ്മിററിയിൽ ജന്മിമാർ അവരുടെ തത്വം അംഗീകരിച്ചിട്ടുള്ളതു്. അങ്ങിനെ അംഗീകരിച്ചതു് ഇതേവരെ സകലഅവകാശങ്ങൾക്കും വേണ്ടി വാദിച്ചുകൊണ്ടിരുന്ന ജന്മിമാൎക്കു പെട്ടെന്നു ഒരു ഔദാൎയ്യബുദ്ധിയുണ്ടായി അവൎക്കു കിട്ടേണ്ടതെല്ലാം ഉപേക്ഷിച്ചുകൊടുത്തതാണെന്നു ആരും വിചാരിക്കുമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. പിന്നെയോ, ഇന്നു കുടിയാന്മാരിൽ നിന്നും തങ്ങളുടെ ആദായങ്ങൾ പിരിഞ്ഞു കിട്ടുന്നതിലുള്ള ബുദ്ധിമുട്ടിനു സ്വല്പം ആശ്വാസം കിട്ടുമെല്ലോ എന്നുള്ള ഒരൊററ വിചാരമാണ് ജന്മിമാരെ ഇതിലേക്കു പ്രേരിപ്പിച്ചിട്ടുള്ളതു്. പോരെങ്കിൽ ജന്മിമാൎക്കും കുടിയാന്മാൎക്കും തമ്മിലുള്ള വഴക്കുകൾക്കു ഒരു ശമനം ഉണ്ടാവുകയും ചെയ്യും. ഞങ്ങളുടെ ഈ അഭിപ്രായം സിലക്ട്കമ്മററിയിലെ മെമ്പർമാരും മററുമെമ്പർമാരും മനസ്സിലാക്കിയിട്ടുണ്ടെന്നാണ് ഞാൻ വിചാരിച്ചിരുന്നതു്. അതിനെ ആസ്പദമാക്കിയാണ് ഈ ഭേദഗതി ഇന്നു ഹാജരാക്കാൻ ഇടയായിട്ടുള്ളതു. ഗവണ്മെൻറു ഈ തത്വം സ്വീകരിക്കയാണെങ്കിൽ ഇവിടെ ഹാജരാക്കിയിട്ടുള്ള ബില്ലിൽ പല

പുതിയ വകുപ്പുകളും ചേർക്കേണ്ടതായിട്ടും പല വകുപ്പുകളും എടുത്തുകളയേണ്ടതായിട്ടും ഉണ്ടാകുമെന്നു് എല്ലാവർക്കും പ്രത്യക്ഷമായി അറിയാം. ഗവൺമെൻറു് ഈ ഭാഗം ഗൌരവമായി ആലോചിക്കുന്നുണ്ടെങ്കിൽ നമ്മുടെ സമയം ഇപ്പോൾ വ്യർത്ഥമായി ചിലവു ചെയ്യുന്നതിൽ എന്താണു് അർത്ഥം എന്നു ഞാൻ ചോദിച്ചുകൊള്ളുന്നു. അതിനാൽ ഗവണ്മെൻറിനു ഇതിനെപ്പററി ആലോചിക്കാനുള്ള സമയം നൽകി, ഗവണ്മെൻറു് ഈ തത്വം സ്വീകരിക്കുന്നപക്ഷം അതനുസരിച്ചു ബിൽ പാസ്സാക്കുകയാണു വേണ്ടതെന്നാണു് എൻെറ അഭിപ്രായം.

MR. RAMA VARMA RAJA (*Edavagai*): ഈ ബിൽ ക്ലാസ്സു് ബൈ ക്ലാസ്സായിട്ടാണല്ലോ ഡ്രാഫ്ററുചെയ്തതു്. ആ സമയത്തു ജന്മിമെമ്പറും ജന്മിമെമ്പറുടെ സ്വഥമെമ്പറന്മാരും ഉണ്ടായിരുന്നുവോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ഉണ്ടായിരുന്നില്ല.

MR. P. S. MAHOMED (*Nominated*): സിലക്ടു് കമ്മിററി റിപ്പോർട്ടു് എഴുതുന്ന സമയം ഉണ്ടായിരുന്നുവോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ഉണ്ടായിരുന്നു.

MR. P. S. MAHOMED (*Nominated*): ആ റിപ്പോർട്ടിനെ ആശ്രയിച്ചല്ലേ ഈ ബിൽ എഴുതിയിട്ടുള്ളതു്?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): അതിനെയും ഞങ്ങളുടെ ഭിന്നറിപ്പോർട്ടിനെയും ആശ്രയിച്ചാണു ഈബിൽ തയ്യാറാക്കിയിട്ടുള്ളതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I oppose the amendment. In the first place, as was observed by Mr. Asan, it is out of order, because, when the—

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): Sir, I rise to a point of order. I want to know what amendment the member is opposing.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I oppose the amendment.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): There is no amendment.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I oppose the motion. In the first place, when a member in charge of a Bill presents the Select Committee report and asks for leave of the House to take the Bill into consideration any other member can come in and intervene only under sub-clause (2) of paragraph 78 of the Legislative Council Manual.

"If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be recommitted."

[Mr. E. V. Krishna Pillai.]

That means it should be recommitted to a Select Committee. No member is at liberty, under the rules, to suggest any modification in the course of the Bill in any other manner. Mr. C. N. Tuppan Namputiripad clearly admits that he does not want to call into existence another Select Committee to which the Bill should be recommitted. On the other hand what he wants is that the Government should give him a definite assurance that they would undertake the collection of the jenmies dues. I submit that if that position is accepted, we should be setting up a very bad precedent. Sir, paragraph 69 of the Legislative Council Manual, says:

> "It shall not be lawful for any member to introduce, without the previous sanction in writing of the Dewan, any measure affecting the public revenues of the State or by which any charge would be imposed on such revenues."

Here, in regard to the suggestion now made by Mr. Tuppan Namputiripad, it is clearly a violation of the provisions of the Legislative Council Rules and hence out of order. Further, we would be setting up a bad precedent if we accept the suggestion; and any member may at any time in future come forward and demand that the Government should undertake some responsibility or other in order that a Bill or any other matter before the House could be allowed to be proceeded with.

It is a fairly long time since this Bill was introduced; and a brief survey of the past history of the Bill will convince anybody that we have already allowed too much concession to those who wanted the consideration of the Bill to be postponed. A Round Table Conference of the parties interested was convened. As a result of the conclusions arrived at there, a Bill was framed and that Bill was sent to a Select Committee. And, when the Report of that Select Committee was placed before the House by the Law Member, it was at the instance of the jenmi members that the Bill was recommitted to another Select Committee to consider one specific point *viz.*, whether it would be possible to place the whole question on a permanent basis, and, if so, to make a legislative provision for that. It was much against the wishes of the majority of the members of this House that this course was adopted. It was definitely as a sort of generous concession accorded to the jenmi members that the Bill was recommitted to a Select Committee. That Committee considered the whole question, took evidence and introduced certain changes in the original Bill. And now, what is the attitude of the jenmi members in regard to the principles discussed in that report of the Select Committee? Mr. Raman Namputiripad is a graduate-in-law, and he cannot put forward the excuse that he could not understand the provisions because they happen to be in English. The Bill as revised by the Select Committee takes its stand entirely on the principles that are found enunciated in paragraph 5 of the report. What is the attitude of the jenmi members in regard to the principle enunciated there? In their dissenting minutes they have clearly admitted the principles. Mr. Tuppan Namputiripad was a member of the

Committee and he knows Malayalam. The dissenting minute is in Malayalam, and this is what is stated there:

"ഭൂരിപക്ഷം റിപ്പോർട്ടിൽ V-ാം വകുപ്പിൽ "എ" മുതൽ "ഈ" വരെയുള്ള തത്വങ്ങളും ഞങ്ങളും സമ്മതിച്ചിട്ടുള്ളതു യോജിപ്പിനുവേണ്ടി രാജിയായിട്ടാണ്."

There he has reiterated that they would agree to these principles on the understanding that Government would undertake the collection of the jenmi'esdues. As for the principles laid down by the Select Committee, jenmies are in perfect agreement with the majority of the Select Committee. So, my submission is that if they want to delay the Bill further until the Government give them the assurance that they want, and if the Council were to sanction it, it would certainly be a proposition which is out of order; and, as I said, it would also set up a bad precedent. Whether the Government undertake to realise the jenmies' dues or not, it does not affect the principle of the Bill. That is entirely a different consideration altogether. The absence of Government interference in the matter of collection and payment of the jenmies' dues does not in any way affect the principle of the Bill. Then, Sir, as regards the observation of my friend, Mr. Tuppan Namputiripad, that there is no provision in the Bill which provides for Government's interference in the realisation of the jenmies' dues, I may point out that there *is* such a provision in the Bill. It is clearly laid down in the Bill that the Government can make their own rules in regard to matters such as collection, and also regarding other matters not specifically provided for in the Bill. So, it is only necessary that the Government should give an assurance that they are prepared to undertake the responsibility of collecting the dues. That has nothing to do with the Bill being proceeded with without any change whatsoever; because all the other matters consequent upon the Government giving such assurance, could be brought under the provision which gives power to Government to make rules. Sir, this is a very important piece of legislation and it will be meaningless and absurd if such an objection is allowed to prevail in regard to the consideration of this Bill.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Before proceeding with the discussion further, may I draw the attention of the Chair to the question whether this amendment is in order. If we get a ruling on that, then there may not be any necessity for further discussion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall explain the position, Sir. Being ignorant of the English language, Mr. Tuppan Namputiripad is not perhaps conversant with the Rules and Standing orders; and so he has not been able, apparently, to state under what Standing Order he has brought forward his present motion. Therefore, I may be permitted to suggest, on his behalf, that his present motion is for the adjournment of the debate under Standing Order No. 26. Standing Order No. 26 reads thus:—

"The motion that any meeting or business be adjourned or postponed or that the Council pass to the business next in order in the statement of business may be moved at any time and without previous notice as a distinct question but not so as to interrupt a speech"

[Mr. Kayalam Paramesvaran Pillai.]

The present motion is that the business be adjourned; or, as it is commonly called, it is a motion for the postponement of the debate.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member realise that such a motion could be made only after the motion under Standing Order No. 37 has been made?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I made the motion that the Bill be taken up for consideration. Mr. Tuppan Namputiripad moves under Standing Order No. 26 that the debate be postponed. That is how the matter stands. As for the motion itself, as I stated at the outset, Government are not now in a position to say one way or the other in regard to their undertaking the responsibility of collecting the jenmies' dues. If the Government agree to accept the demand made by the jenmies, it will make matters easy for the House in proceeding with the Bill, as we will have the advantage of the complete agreement of the jenmi members also, and therefore unanimity in every quarter. If on the other hand, the Government find that they are not in a position to accept the demand of the jenmi members, then also there is of course no objection to proceed with the Bill; but the way in which the House has to proceed will take a different turn. Government require some time for coming to a conclusion about the feasibility of accepting the jenmies' demand. Therefore, Government have no objection to the debate being postponed. I should not be understood as committing the Government or the House in any way. The Government may or may not accept the demand of the jenmies; and whether the demand be accepted or not the House can proceed with the Bill. Only let us wait for some little time.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Am I to understand from the member that Government are prepared to undertake the whole responsibility of the delay and to admit that the Bill is to be postponed now solely because *they* require time for deciding the question as to the method of realising jenmi esdues?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, that is my position. I may also submit that in a motion under Standing Order No. 26, the grounds for the postponement do not form part of the motion. While the Government have no objection for the debate being postponed, and to that extent are prepared to support Mr. Tuppan Namputiripad, they do not accept the argument put forward by him in support of his motion either in his speech or in the motion as printed. Government want time; and therefore they are prepared to support the motion proper. That is all.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is it the member's suggestion that the consideration of the Bill may be postponed till the Government decide one way or the other in regard to the jenmi'es demand?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. The motion as moved by Mr. Tuppan Namputiripad says

that the consideration of the Bill must be postponed till the Government *undertake* to collect the jenmies' dues. Government do not support that. They are prepared to support the postponement, and their ground is that they want time to decide the question *one way or the other.*

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സിലക്ട് കമ്മിററി തയ്യാറാക്കി വാദപ്രതിവാദത്തിലിരിക്കുന്ന ഈ ബിൽ ജന്മിമാർ ഗവണ്മെന്റിനോടു നേരിട്ടു കരം ആവശ്യപ്പെടുന്നതിനും ഗവണ്മെന്റു അതു കൊടുക്കുന്നതിനും കടമപ്പെട്ട രീതിയിൽ തയ്യാറാക്കിയിട്ടുള്ളതാണോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അല്ല. റിപ്പോർട്ടു കുറെ ഭാഗം എല്ലാപേരും യോജിച്ചാണ് തയ്യാറാക്കിയതു. കുറെ അങ്ങിനെ നടന്നപ്പോഴും മെംബർമാർക്കു തമ്മിൽ ഭിന്നാഭിപ്രായമുണ്ടായി. പിന്നീടു മെജാർട്ടിയനുസരിച്ചു ബിൽ രൂപീകരിച്ചു. ഈ ബിൽ പര്യാലോചിക്കാൻ കൗൺസിലിനു എപ്പോഴും അധികാരമുണ്ട്. മി: തുപ്പൻനംപൂതിരിപ്പാടു പറയുന്നതുപോലെ ഗവണ്മെന്റിനു പിരിവുഭാരം ഏല്ക്കാമോ എന്നുള്ളതിനെപ്പററി ആലോചിക്കാൻ സമയം കിട്ടിയിട്ടില്ല. അതു തീർച്ചചെയ്യുന്നതുവരെ ഈ ബില്ലിന്റെ പര്യാലോചന നീട്ടിവയ്ക്കണമെന്നാണ് ഞാനും പറയുന്നതു്.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): May I know from the Law Member what, in his opinion, would be the reasonable time for the Government to decide the question one way or the other?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Bill would be brought forward again at the next session, *i. e.* the Budget Session.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I ask the Law Member how many days are usually allotted, for legislative business, during the Budget Session?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Generally, one day, I think; but more may be allotted.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does the member really think that this Bill could be passed in one, or even two days?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is too much for any member to prophesy.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): From our past experience of this Bill, does the member think that we can reasonably expect to finish this piece of legislation in a day or two?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not willing to hazard an answer.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): സിലക്ട് കമ്മിററിയിൽ ജന്മിഭാഗത്തു നിന്നും ഈ തത്വം സ്വീകരിച്ചിട്ടുള്ളതു ഗവണ്മെന്റു ജന്മിമാൎക്കു കിട്ടേണ്ട ആദായം പിരിച്ചുതരുമെന്നുള്ളതായ വിശ്വാസത്തിന്മേൽ മാത്രമാണെന്നു ലാ മെംബൎക്കറിയാമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The whole Committee agreed in regard to the principle or formula, but in regard to the acceptance of the formula there was difference of opinion, the majority of the Committee being in agreement with the provisions of the Bill as it is now before the House, and the jenmi members alone insisting that they would agree to the Bill only on condition that the Government would undertake to realise and pay the jenmies' dues. Under ordinary circumstances, I would not have supported the motion for the postponement of this debate. But in this particular case, I support it merely for the reason that the Government want some time to tell the House definitely whether they are prepared to accept the jenmies' demand or not. The motion of Mr. Tuppan Namputiripad states that the consideration of the Bill must be postponed until the Government *accept* the jenmies' demand. Government are not prepared to go to that extent in supporting the motion. I simply say that the consideration may be postponed till the Government *decide* the question of accepting the jenmies' demand *one way or the other*. I may point out to the House that the motion must be treated as moved under Standing Order No. 26, for the postponement of the debate.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): The wording of the motion has to be revised properly.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The motion is that the debate be postponed.

PRESIDENT: That is the only way in which, under the Standing Orders, the motion can be put.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*). Sir, I rise to oppose the motion for the adjournment of the debate. At the last meeting of this Council, Mr. Tuppan Namputiripad and the other jenmi members suggested that the amended Bill might be referred to a fresh Select Committee to consider whether an equitable arrangement could be made so that the Settlement *pattom* less the Sirkar tax might be made payable to the jenmi in lieu of all and every one of his present dues. On enquiry, the Select Committee found that, in many cases, the proposal would affect inequitably both the parties, the jenmies and the kudiyans. The Committee have, therefore, suggested that in all cases in which the proposal works equitably, it may be accepted, and that in all other cases a variation of only ten per cent. can be allowed. That was the only manner in which the substantive rights of the parties could be settled reasonably. There was general agreement on this point. But the jenmies stated, *in the Committee*, that their dues should be collected by the Government agency and paid to them in order to avoid unnecessary expenses, in litigation and in maintaining their own

establishment for collection. The jenmi members insisted that this Bill should be taken up for consideration only after the Government gave an undertaking to do it. The majority of the Committee said that they would make a recommendation to the Government and request them to accept this demand of the jenmies in order to settle this thorny problem amicably once for all. The majority hoped that the Government would be able to make an announcement on the matter before this meeting of the Council. Unfortunately, the Law Member says that Government require some more time to decide the point. Sir, the matter of collection is only a matter of procedure, and I do not think it can seriously affect the principles embodied in this piece of legislation. The argument that the consideration of the substantive right of the parties should be delayed till after the question of the method of collection is decided, cannot be said to be worthy of any serious consideration. Mr. Tuppan Namputiripad has been saying that there is no provision in the Bill, as it is, for enabling the jenmies to seek the aid of the Government in collecting the dues. Sir, there *is* provision for that in the Bill to the effect that if the jenmies apply to the Tahsildar for invoking the provisions of the Revenue Recovery Regulation the Tahsildar must do it for the jenmies. Therefore, already there *is* provision in the Bill for enabling the jenmi to realise his dues through Government agency. The only difference between the present demand of the jenmi and the provision in the Bill is that the Bill does not now compel the Government to collect, of their own accord, the jenmies' dues and pay the same to them. Even if it is considered very necessary and indispensable, I think it could be provided for by necessary rules which the Government have the power to make. Mr. Tuppan Namputiripad has been stating that there is no provision in the Bill for fixing the commutation rates. Sir, there *is* provision in the Bill already, for that purpose. All that the Government have to do is to prepare a record of rights and fix the amount due from particular kudiyans to the respective jenmies and issue the necessary instructions to the Revenue authorities. Sir, after all, it is a matter of procedure, and I do not think it is necessary for this House to wait till the Government make an announcement on the matter. I, therefore, strongly oppose the motion for the postponement of the consideration of this Bill.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*) : Sir, the Bill has been before the Council, unfortunately, for a pretty long time, and it has had a rather chequered career. Last time, as a sort of a short cut, a reference was made to a Committee to see whether the jenmies and the kudiyans could not come to an amicable settlement. The Committee went into the question, collected evidence and made certain recommendations though not exactly as was proposed in this House at the time of the recommittal. There was general agreement in the Committee in regard to the amount of the jenmies' dues; but there was difference of opinion as to the method of collection of the jenmies' dues. It was agreed that, in complete satisfaction of the annual and recurring dues of the jenmi, the jenmi must accept

[Rao Bahadur A. Venkatarama Aiyar.]

the Settlement *pattom* less the Sirkar tax as the *jenmippattom* in ordinary cases, and that, in any case in which there was substantial variation according to the present deeds, a ten per cent. margin must be added to or subtracted from, as the case may be, the Settlement *pattom* less the one-eighth due to the Sirkar. The jenmies insisted that they would agree to the proposal only if the Government would undertake to collect the dues on their behalf. That was the sort of compromise arrived at in the Committee. My own idea is that if the Government would accept the jenmies' demand, it would save a good deal of time for us. Several clauses of the present Bill would become unnecessary then.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What are those clauses, please?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): There is no need for the provision relating to the definition of customary dues..............

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I point out to the learned Deputy President that the customary dues and other dues have to be commuted into annual payments?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): It is in full satisfaction of all the dues of the jenmies that a lump payment is now being proposed. There is, therefore, no need for any provision defining customary and other dues.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is the member aware that for fixing the *jenmippattom* the customary and other dues have to be taken into account?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): I may say there are other provisions which need not be considered at all in case the Government accept the jenmies' demand.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Am I to take it that the learned Deputy President is not in a position to substantiate his point?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Much of the rancorous debate could be avoided if..........

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I want a definite answer to my question. Does the member remember that he remarked just a while ago that there are several provisions in the Bill, as it is, which would become unnecessary if the Government would accept the demand now made by the jenmies? Is he prepared to substantiate that statement of his? I want an answer 'yes' or 'no'.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): I would have my reply couched in the terms I propose; I am not to be dictated in that matter. As I have already submitted, Sir, since there is practically complete agreement in the matter, and since the only obstacle is with regard to the demand now made by the

jenmies, I think it would save a lot of trouble and time if we postpone the debate of this Bill till the Government make a pronouncement one way or the other.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I want the member to refer to the provisions which would become unnecessary if the Government accept the jenmies' demand.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): I shall attempt it, Sir, if it is considered indispensable.

Clause IV of the Bill, for instance, would become superflous since the tenure would become permanent if the present proposals are agreed upon. The right of relinquishment and other matters need not be considered at all since the question is to be settled once for all and since the contractual relations between the parties are to be finally settled under the proposed agreement.

MR. A. THANU PILLAI (*Trivandrum*): May I point out to the learned Deputy President that Clause IV of the Bill, which the Deputy President suggests would become superfluous, is the most important provision in the Bill, the pivot of the whole legislation ?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): I request to be excused, Sir, I am sorry I referred to the previous Bill as revised by the former Select Committee.

MR. A. THANU PILLAI (*Trivandrum*): Probably, the provisions relating to summary realisation may become superfluous.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Also, the provisions relating to *jenmikkaram* since *jenmippattom* is to be fixed.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the data on which the *jenmikkaram* is to be fixed, then ?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Since the present proposal is to arrive at an understanding in regard to the amount of the jenmies' dues, there is no need for considering the provisions relating to *jenmikkaram* and other dues.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I point out to the learned Deputy President that there is no such word as *jenmippattom* in the Bill.

PRESIDENT: I would suggest to the member not to put too many of such questions.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): The proposal is to deduct the Sirkar dues from the Settlement *pattom* and to pay that lump sum to the jenmi in full satisfaction of all his present claims.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is the member aware that the jenmies' dues are composed of customary and such other dues ?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Since the agreement now arrived at is that the after deducting

[Rao Bahadur A. Venkatarama Aiyar.]

ettilonnu (due to the Sirkar) from the Settlement *pattom*, the balance is to be paid to the jenmi as a lump sum, I think the provisions relating to *jenmikkaram* are unnecessary.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): What does the member understand by the word *jenmikkaram*? He has been using the very word often?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): I am referring to the dues of the jenmi which the Committee was asked to fix and report upon. Whatever is left, out of the Settlement *pattom* after appropriation of the *ettilonnu* due to the Sirkar, would form the *jenmikkaram*. That is what the Committee has reported.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I correct the member? That is *not* the report of the Committee.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): That was what the Committee was asked to report upon. After an examination of the documents and the Settlement Registers and *pattas*, it was found that the uniform application of that formula would work hardship in various cases both to the jenmies and to the kudiyans. Therefore, the Committee suggested that, in cases where there was substantial variation, a margin of ten per cent. might be added to or substracted from, as the case may be, the amount arrived at according to the formula. There was practically complete agreement for this proposal; and the jenmi members suggested that they would give their whole-hearted support to it on condition that the Government would agree to collect their dues on behalf of the jenmies. If that one condition of the jenmies is satisfied there would be absolute agreement between the two parties concerned. I would therefore suggest that we would be well advised to wait till the Government dispose of that question one way or the other.

MR. P. S. MAHOMED (*Nominated*): സർ, ഈ ബിൽ ഈ കൌൺസിലിൽ അവതരിപ്പിച്ചതുതന്നെ ഒരു രാജി ആലോചനയുടെ ഫലമായിട്ടാണ്. ഈ ബില്ലിൻെറ ആരംഭഘട്ടത്തിൽതന്നെ ഒരു റൌണ്ട ടേബിൾ കാൺഫ്റൻസു കൂടി അതിലെ തീർച്ചയുടെ ഫലമായി ഒരു ബിൽ ആദ്യം ഈ കൌൺസിലിൽ അവതരിപ്പിച്ചു. ജന്മിമാരുടേയും കുടിയാന്മാരുടേയും പ്രതിനിധികൾ അല്ലെങ്കിൽ ഈ കൌൺസിലിലെ പ്രതിനിധികളായിരുന്നു അതിൽ ഉണ്ടായിരുന്നതു്. ആ തരത്തിൽ നിന്നും ഇരുകൂട്ടരും വ്യതിചലിച്ചതിൻെറ ഫലമായി ഈ കൌൺസിലിൽ ഒരു സിലക്ട് കമ്മിററി റിപ്പോർട്ടു വന്നതിനുശേഷം വീണ്ടും ഒരു രാജി ആലോചനയ്ക്കുള്ള സൌകര്യം കൊടുത്തു. ആ രാജി ആലോചനയുടെ

ഫലമായിട്ടാണ് ഇപ്പോഴത്തെ ഈ റിവൈസ്ഡ് ബിൽ ഉണ്ടായത്. ഈ ബിൽ സിലക്ട് കമ്മിററിക്കു റീകമ്മിററൽ ചെയ്തതുതന്നെ –

"Whether in respect of Kanapattom lands, an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes and out of that pattom, whatever is left after deducting the Sirkar tax be taken to be the jenmies' due in lieu of all and every one of their claims, and if any such arrangement can reasonably be made, to draft and submit the necessary legislative provisions for the same."

എന്നുള്ള ഒരു റഫറൻസോടുകൂടിയായിരുന്നു. ഈ കമ്മിററി പല സ്ഥലത്തും പോയി തെളിവുകൾ എടുക്കുകയും, അവ അതേ നിലയിൽ സ്വീകരിക്കാൻ നിവൃത്തിയില്ലാതെ വന്നതിനാൽ വീണ്ടും ഒരു രാജി ആലോചിക്കേണ്ടതായി വരികയുംചെയ്തു. ജന്മിമെംബർമാർ കഴിയുമെങ്കിൽ ഈ രാജി ആലോചനയിൽനിന്നും പിൻതിരിയാതെ സംഗതികൾ ഭംഗിയായി അവസാനിപ്പിക്കണമെന്നു ഉദ്ദേശിച്ചതിൻെറ ഫലമായി ഈ റിപ്പോർട്ടുണ്ടായി. ഗവണ്മെൻറിൽനിന്നും അവർക്കു കിട്ടേണ്ട ആദായം പിരിച്ചുകൊടുക്കുമെന്നുള്ള വിശ്വാസത്തിന്മേലും ആ ധൈര്യംകൊണ്ടുമാണ് അവർ രാജിക്കുൾപ്പെട്ടതു്. ആ വിശ്വാസം ഗവണ്മെൻറു സ്വീകരിച്ചില്ലെങ്കിൽതന്നെയും, ഈ കൌൺസിലിനു മുമ്പോട്ടുപോകാൻ കഴിയുമെങ്കിലും അങ്ങിനെ ഒരു വിശ്വാസം അവൎക്കുള്ളതുകൊണ്ടു നാം അതിലേക്ക് അവസരം കൊടുക്കേണ്ടതാണ്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the member is opposing or supporting the motion?

MR. P. S. MAHOMED (*Nominated*): ഞാൻ സംസാരിച്ചു വരുമ്പോൾ ഒടുവിൽ അതറിയാം.

ഇങ്ങിനെ അവർ വിശ്വസിച്ചു സമ്മതിച്ചിട്ടുള്ള രാജിയുടെ ഫലമായി ഉണ്ടായ ഈ ബിൽ അവതരിപ്പിച്ച ലാമെംബർതന്നെ ഈ സംഗതിയെപ്പററി ആലോചിക്കുന്നതിനു ഗവണ്മെൻറിനു സൌകര്യമുണ്ടായില്ലെന്നും അതിലേക്കു കുറെ സമയം ആവശ്യമുണ്ടെന്നും പറയുന്നു. ഗവണ്മെൻറു അനുകൂലമായി തീർച്ചചെയ്യുകയാണെങ്കിൽ ഇതുവരെ രാജിയിൽ കഴിച്ചുകൂട്ടിവന്ന നമ്മൾക്കു ഈ ബില്ലിൻെറ ആലോചന വളരെ സൌഹാർദ്ദമായി പിൻതുടരാൻ സാധിക്കും. അനുകൂലമല്ലെങ്കിൽ ജന്മിമാരുടെ ഹിതത്തിനു വിരുദ്ധമാണെങ്കിലും ഈ കൌൺസിലിനു ന്യായമെന്നു തോന്നുന്ന ഒരു തീരുമാനം ഉണ്ടാക്കാൻ നമുക്കു കഴിയും. ആരംഭംമുതൽ രാജിയാവുക എന്നുള്ള തത്വം നാം പിൻതുടൎന്നുവരുന്ന സ്ഥിതിക്ക് ഈ ഒരു സൌകര്യംകൂടി ജന്മിമാൎക്കു കൊടുക്കണമെന്നാണ് എൻെറ അഭിപ്രായം.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): കഴിഞ്ഞ കൌൺസിലിൽ ഇനി ഈ കാൎയ്യം നീട്ടാൻ പാടില്ലെന്നു പറഞ്ഞപ്പോൾ അടുത്ത കൌൺസിലിൽ ഇതവസാനിപ്പിക്കാമെന്നും അതുവരെ നീട്ടേണ്ടതു അത്യാവശ്യമാണെന്നും ഗവൺമെൻറുഭാഗത്തുനിന്നും പറഞ്ഞിട്ടില്ലേ?

MR. P. S. MAHOMED (*Nominated*): അതെ. അതനുസരിച്ചു വേണ്ടതു ഗവൺമെൻറു പ്രവൎത്തിച്ചിട്ടുണ്ട്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഗവൺമെൻറിൻെറ വാഗ്ദാനം അനുസരിച്ച് ഇതവസാനിപ്പിക്കുക എന്നുള്ളതു ഗവൺമെൻറിൻേറയും ഈ കൌൺസിലിൻേറയും കടമയല്ലേ?

MR. P. S. MAHOMED (*Nominated*): കൌൺസിൽ നിൎദ്ദേശിച്ചിരുന്നതുപോലെ നടത്തിയിരുന്നാൽ അതു ശരിയായിരുന്നു. അവിടെയും വീണ്ടും ഒരു രാജിയാണുണ്ടായതു്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഗവൺമെൻറിൻെറ വാഗ്ദാനത്തെ അന്നു കേൾക്കാതിരുന്നാൽ ഈ ബിൽ കഴിഞ്ഞ കൌൺസിലിൽതന്നെ തീരുമായിരുന്നില്ലേ?

MR. P. S. MAHOMED (*Nominated*): ഗവൺമെൻറു വാഗ്ദാനം അനുസരിച്ചു കമ്മിററി റിപ്പോൎട്ടുചെയ്തിരുന്നാൽ എൻെറ സ്നേഹിതൻെറ ചോദ്യം ശരിയായിരിക്കുമായിരുന്നു. സിലക്ട്കമ്മററി അതുപോലെചെയ്തില്ല. വീണ്ടും ഒരു രാജിയാണുണ്ടാക്കിയതു്. അതനുസരിച്ച് ഈ കൌൺസിൽ പ്രവൎത്തിക്കേണ്ടേ? ജന്മിമാരെ അവർ അറിയാതെ കുടുക്കിൽ അകപ്പെടുത്തി നിയമം ഉണ്ടാക്കുന്നതു ഭംഗിയല്ല.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ജന്മികുടിയാൻ നിയമം ഉണ്ടാക്കി വഴക്ക് അവസാനിപ്പിക്കണമെന്നു പ്രജാസഭയിൽ എത്രകാലമായി പറഞ്ഞുകൊണ്ടിരിക്കുന്നു എന്നറിയാമോ?

MR. P. S. MAHOMED (*Nominated*): കൊല്ലം ധാരാളമായാലും ഓരോരുത്തരും ചെയ്യേണ്ട ധൎമ്മം ചെയ്യരുതാ എന്നില്ല.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): എത്ര കൊല്ലമായി എന്നറിയാമോ?

MR. P. S. MAHOMED (*Nominated*): എത്ര കൊല്ലമായാലും എൻെറ അറിവുകൊണ്ടുള്ള പ്രയോജനമെന്താണ്?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഈ ബിൽ നിയമമാക്കിയില്ലെങ്കിൽ ഇനി അടുത്ത കൌൺസിലിൽ ഇതു നിയമമാക്കാമോ?

MR. P. S. MAHOMED (*Nominated*): അത്ര സമയമെ വേണ്ടിവരികയൊള്ളു.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapali*): ഗവർമ്മെന്റിന്റെ തീരുമാനം രാജിക്കനുകൂലമല്ലെങ്കിൽ അതിനു എതിരായിട്ടു വോട്ടുചെയ്യാൻ പാടില്ലെ?

MR. P. S. MAHOMED (*Nominated*) അങ്ങിനെ ചെയ്താൽ, ഗവർമ്മെന്റു അനുകൂലമായി തീർച്ചചെയ്തില്ലെങ്കിൽ, ഈ ബില്ലിൽതന്നെ ജന്മിമാൎക്കു ചില ഭേദഗതികൾ വരുത്താൻ സൌകൎയ്യമില്ലാതെയാകും. ഗവർമ്മെന്റു അനുകൂലമായിതീരുമാനിക്കുമെന്നുള്ള വിശ്വാസത്തിലാണ് അവർ ഈ രാജിക്കുൾപ്പെട്ടു ഈ ഭാഗങ്ങളെല്ലാം സമ്മതിച്ചത്. ജന്മിമാർ ന്യൂനപക്ഷക്കാരായതുകൊണ്ട് അതിലേക്കു സൌകൎയ്യം കൊടുക്കണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikpali*): ഈ ബില്ലിൽ ഇനിയും വ്യത്യാസം ചെയ്യാനുണ്ടൊ?

MR. P. S. MAHOMED(*Nominated*): ചിലതെല്ലാം ഉണ്ട്. ഓരോ പകുതിയിലും നെല്ലുശേഖരിക്കാൻ അറയുണ്ടാക്കി വയ്ക്കണമെന്നൊക്കെ പറയുന്നുണ്ട്. അതുജന്മിമാൎക്കു ബുദ്ധിമുട്ടാണ്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ജന്മിമാർ ഷേറിയിൽചെന്നുചോദിച്ചു കഴിഞ്ഞാൽ അവൎക്കുകിട്ടേണ്ട ആദായം കിട്ടണമെന്നുള്ള വകുപ്പുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ഗവർമ്മെന്റു അങ്ങിനെ കൊടുത്തു കൊള്ളാമെന്നു കയ്യേററിട്ടില്ല. കൌൺസിലിൽ നിന്നും നിശ്ചയിച്ചതനുസരിച്ചു സിലക്ട് കമ്മററി റിപ്പോർട്ടു ചെയ്തിരുന്നാൽ ഞാൻ ഈ എതിരഭിപ്രായം പറയുകയില്ലായിരുന്നു.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): [*Not heard.*]

MR. P. S. MAHOMED (*Nominated*): ഒരു സംഗതി ഭംഗിയാക്കാൻ വേണ്ടി നാം നിശ്ചയിച്ചിട്ടുള്ള ചില സംഗതികളിൽ മൂലതത്വത്തിനു ഭംഗം വരാത്തവിധത്തിൽ അല്പസ്വല്പം വ്യത്യാസം ചെയ്യാം. അങ്ങിനെ ചെയ്യുന്നവരെ അഭിനന്ദിക്കതന്നെവേണം.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): [*Not heard.*]

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the member has got a right to ask questions except through the President?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Questions are often asked to the members direct; but it is supposed that they have been asked through the Chair.

MR. P. S. MAHOMED (*Nominated*): ആയതു കൊണ്ടു ലാമെംബർ പറഞ്ഞപ്രകാരം ഗവൺമെൻറിനു ഒരു സൌകൎയ്യം കൊടുക്കേണ്ടതാണ്. അങ്ങനെ ഒരു സൌകൎയ്യം കൊടുക്കാതെ നാം പ്രവൃത്തിക്കുന്നപക്ഷം ന്യൂനപക്ഷക്കാൎക്കു ന്യായമായ അവകാശം പറയുന്നതിനുള്ള സൌകൎയ്യം കൊടുക്കാതെ ഉപദ്രവിച്ചു എന്നു പറയാനിടവരുത്തുന്നതു ജന്മിമാരല്ലാത്ത ഭൂരിപക്ഷമുള്ള ഈ കൌൺസിലിനു അഭിമാനമല്ല എന്നാണു ഞാൻ വിചാരിക്കുന്നത്. ഈ സംഗതി ഗവൺമെൻറു പൎയ്യാലോചനചെയ്തു തീരുമാനിക്കുന്നതുവരെ മാററിവയ്ക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

The Council adjourned for lunch at 2-4 P. M. and met again at 3 P. M.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): സർ, എൻെറ മാന്യസ്നേഹിതൻ മി: തുപ്പൻനമ്പൂതിരിപ്പാട് ഇവിടെ കൊണ്ടുവന്ന ഉപക്ഷേപത്തെ അനുകൂലിക്കാൻ നിവൃത്തിയില്ലാത്തതിൽ ഞാൻ വ്യസനിക്കുന്നു. ഈ ബില്ലിനെ ഇവിടെ വാദപ്രതിവാദം നടത്തി പാസാക്കാതെ ഇനിയും കാലം നീട്ടിക്കൊണ്ടു പോകുന്നതായാൽ ജനസാമാന്യത്തിൻെറ ഇടയിൽ വലുതായ അസ്വസ്ഥതയ്ക്കു കാരണമാകുന്നതാണ്. ഈ രാജ്യത്തെ ജനങ്ങളുടെയിടയിൽ ദീൎഘകാലമായി അസ്വസ്ഥതയ്ക്കും പൊതുജനയോഗങ്ങൾക്കും പ്രമേയങ്ങൾക്കും ഡെപ്യൂട്ടേഷനും വിഷയമായിട്ടുള്ള ഒരു പ്രധാന വിഷയം ഉണ്ടെങ്കിൽ അതു് ജന്മികുടിയാൻ കാൎയ്യം ആണ്. ൨൦ വർഷക്കാലമായി ഈ രാജ്യത്തെ ജനങ്ങൾ ഒരു നിയമം ഇന്നു പാസാകും, നാളെ പാസാകും, എന്നു് പ്രതീക്ഷിച്ചു കൊണ്ടിരിക്കുകയാണ്. ഇതിനെപ്പററി പ്രജാസഭയിൽ വളരെ ശക്തിമത്തായി വാദം നടത്തിയതിൻെറ ഫലമായി ൧൫ വർഷങ്ങൾക്കു മുമ്പു ജന്മികുടിയാൻ കാൎയ്യത്തിനു വേണ്ടി ഒരു കമ്മററി ഏർപ്പെടുത്തി. അതിൽ ഞാനും ഒരു മെംബർ ആയിരുന്നു. ആ കമ്മററി രാജ്യം ഒട്ടുക്കു സഞ്ചരിച്ചു ജന്മിമാരിൽ നിന്നും കുടിയാന്മാരിൽനിന്നും വേണ്ട തെളിവുകൾ ശേഖരിച്ചു ഒരു റിപ്പോർട്ടു് തയ്യാറാക്കുകയും അതനുസരിച്ച് ഒരു കരട് ബിൽ സമർപ്പിക്കുകയും ചെയ്തു. എന്നാൽ ആ ബിൽ പാസാക്കിയിട്ടില്ല. അന്നു മുതൽ ജനങ്ങളുടെയിടയിൽ അസ്വസ്ഥത ഉണ്ടായിക്കൊണ്ടിരിക്കുകയാണു. ഇത്രവളരെ കാലപ്പഴക്കമുള്ള ഈ സംഗതിയെ ഇനിയും കാലതാമസപ്പെടുത്തി ജനങ്ങളുടെയിടയിൽ പരക്കെ അസ്വസ്ഥതയും മുറവിളിയും ഉണ്ടാക്കിക്കൊണ്ടിരിക്കുന്നതു ഗവൺമെൻറിനോ ജനപ്രതിനിധികൾക്കൊ യോജിച്ചതല്ല. ജന്മിമാൎക്കു ന്യായമായി ലഭിക്കേണ്ട സൌകൎയ്യങ്ങൾ നൽകുന്നതിൽ ജനങ്ങൾക്കു

വൈമനസ്യമില്ല. ഇപ്പോഴത്തെ ബില്ലും മുമ്പ് അവതരിപ്പിച്ച ബില്ലും ജന്മിമാരുടെ ഗുണത്തെ സാരമായി പരിഗണിച്ചാണു ക്രമീകരിച്ചിട്ടുള്ളതു്. ഇനിയും ഇതിൽ ഏതെങ്കിലും വകുപ്പിനെ ഭേദപ്പെടുത്തണമെന്നുണ്ടെങ്കിൽ ഇപ്പോഴും വാദപ്രതിവാദം നടത്തി ഭേദഗതിചെയ്യാൻസൗകര്യം ഉണ്ടു്. അങ്ങിനെയിരിക്കെ, ഈ ബില്ലിനെ ഇനിയും പുതുക്കിക്കൊണ്ടുവരണമെന്നു് അഭിപ്രായപ്പെടുന്നതിനുള്ള കാരണം മനസിലാകുന്നില്ല. ജന്മിമാരുടെകരം ഗവമ്മെൻറു് പിരിച്ചു കൊടുക്കുന്നതിൽ ജനങ്ങൾക്കു്വിരോധമില്ല. ഗവമ്മെൻറിൽനിന്നും ഇപ്പോൾകരം പിരിച്ചു വരുന്നരീതി ജനങ്ങൾക്കു് യോജിച്ച വിധത്തിലല്ല ഇരിക്കുന്നതു്. ഉടനടി കരം കൊടുത്തില്ലെങ്കിൽ ജംഗമവും മററും ജപ്തിചെയ്തു കരം ഈടാക്കുക എന്നുള്ള രീതി തീരെ ആശാസ്യമായിട്ടുള്ളതല്ല. അതു ജനങ്ങൾക്കു വളരെ ക്ലേശകരമായിട്ടുള്ളതാണു്; എങ്കിലും ജന്മികളുടെ സൌകര്യത്തിനും രാജിക്കുമായി ഞങ്ങൾ അതും സമ്മതിക്കുന്നു. എന്നാലും കാലം നീട്ടിക്കൊണ്ടു പോകണം എന്നു ജന്മിഭാഗത്തു നിന്നും പറയുന്നതിൻെറ ആന്തരോദ്ദേശ്യം എന്താണെന്നു് ജനസാമാന്യം വളരെ ശങ്കിക്കുന്നുണ്ടു്. അതുകൊണ്ടാണു് കഴിഞ്ഞതവണ ഈ ബിൽ വീണ്ടും ഒരു സിലക്ട് കമ്മററിക്കു് അയക്കണമെന്നു പ്രസ്താവിച്ചപ്പോൾ ഞാൻ എതിർത്തതു്. അതിലേക്കു് ഗവണ്മെൻറു് പറഞ്ഞമറുപടി പ്രൊസീഡിംഗ്സിലെ ആ ഭാഗം തന്നെ പറയാം. ഇനിയും ഒരു സിലക്ട്കമ്മററിക്കു് അയക്കുന്നതു് കാലം ദീർഘിക്കാൻ കാരണമാക്കുകയല്ലെ എന്നു ഞാൻ പ്രസ്താവിച്ചതിനു് "അതിലേക്കുള്ള സമയം ക്ലിപ്തമായി നിശ്ചയിച്ചിട്ടാണു് സിലക്ട്കമ്മററിക്കു് അയക്കുന്നതു" എന്നാണു് ഗവണ്മെൻറു് മറുപടി പറഞ്ഞിട്ടുള്ളതു്. അതിനു ഞാൻ പറഞ്ഞമറുപടി അതു നല്ലതു തന്നെ, പക്ഷേ ആകാലത്തിനകത്തും അവസാനിക്കുകയില്ല എന്നാണു്. അടുത്തകൗൺസിൽവരെ സമയം കൊടുത്തു് ഒന്നു പരിക്ഷിച്ചു നോക്കാമെന്നാണു് അന്നു് ഗവണ്മെൻറു് വീണ്ടും പറഞ്ഞിട്ടുള്ളതു്. ഈ സംഗതിക്കു് അടുത്തകൗൺസിലിലെങ്കിലും ഒരു അവസാനം ഉണ്ടാകുമെല്ലോ എന്നു വിചാരിച്ചു് അന്നു് ഞങ്ങൾ സമ്മതിക്കുകയും ചെയ്തു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അടുത്തകൗൺസിലിൽ ഇതിനെ അവസാനിപ്പിക്കാമെന്നു് അന്നു പറഞ്ഞിട്ടുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അതെ.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഈകൗൺസിൽ അതു് പാസാക്കിയാലല്ലെ അതു് അവസാനിക്കുകയുള്ളു?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): പാസാക്കാം എന്നാണ് അന്നു പറഞ്ഞപ്പോൾ ഉദ്ദേശിച്ചതു്. അല്ലെങ്കിൽ സമയക്ലിപ്തം ചെയ്യുയില്ലായിരുന്നു. സമയം വ്യക്തപ്പെടുത്തി അന്നു പറഞ്ഞിരുന്നതിനാൽ ഇത്തവണ പാസാകുമെന്നുതന്നെയാണു ധരിക്കേണ്ടതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഈ ബിൽ അടുത്തകൗൺസിലിൽ തന്നെ തീൎത്തുകളയാമെന്നു് അന്നു പറഞ്ഞിട്ടുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അടുത്തകൗൺസിലിൽ കൊണ്ടുവരാമെന്നു പറഞ്ഞാൽ ബില്ലിനെ കൊണ്ടുവന്നു കാണിച്ചിട്ടു കൊണ്ടുപോകാമെന്നല്ല അൎത്ഥം. ഓരോവകുപ്പിനേയും ഇവിടെവായിച്ചു വേണ്ട ഭേദഗതിചെയ്തിട്ടു് അതിന്റെ മൂന്നാമത്തെ വായനയിൽ പാസാക്കുക എന്നുള്ളതാണു ബില്ലിനെ സംബന്ധിച്ചു ചെയ്യാറുള്ള സാധാരണ നടപടി. ആസ്ഥിതിക്കു് അതിന്റെ സാധാരണനടപടിക്കു വ്യത്യാസം വരുത്താൻ പാടുള്ളതല്ല. ൨൦ വർഷമായി ജനങ്ങളുടെയിടയിൽ അസ്വസ്ഥത ഉണ്ടാക്കിക്കൊണ്ടിരിക്കുന്ന ഒരുബില്ലാണ് ഈജന്മികുടിയാൻ ബില്. ബിൽ ഉടൻപാസാക്കണമെന്നു കുടിയാന്മാരുടെ യോഗങ്ങളിൽ പാസാക്കിയിട്ടുള്ള പ്രമേയങ്ങൾ കെട്ടുകെട്ടുകളായി കിടക്കുന്നതു ഹജൂർആഫീസിൽ നോക്കിയാൽ കാണാം. എത്രപൊതുയോഗങ്ങൾ ഏതെല്ലാം സ്ഥലങ്ങളിൽ നടന്നു. ഇതിലധികം ജനങ്ങളുടെ ഉൽക്കണ്ഠയെ എങ്ങിനെ വെളിപ്പെടുത്തും. ഇങ്ങിനെ ൨൦ വർഷം കഴിഞ്ഞിട്ടും ഇതിനൊരു തീരുമാനം ഉണ്ടാക്കാതെ നീട്ടിക്കൊണ്ടു പോകണമെന്നു് പറയുന്നതു് വളരെ കഷ്ടമാണ്. ജനങ്ങളുടെയിടയിലുള്ള അസ്വസ്ഥത എത്രമാത്രമുണ്ടെന്നു് അവരുടെ പ്രതിനിധികളായ ഞങ്ങൾക്കു് മാത്രമെ ശരിയായി അറിയാൻപാടുള്ളു.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അതുകൊണ്ടു് ഏതെങ്കിലും വിധത്തിൽ ഇതിനെ അവസാനിപ്പിച്ചാൽമതി എന്നാണൊ മെംബർ അഭിപ്രായപ്പെടുന്നതു്?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഏതു വിധത്തിൽ ഇതിനെ ന്യായമായി തീരുമാനിക്കാമൊ ആ വിധത്തിൽ തീരുമാനിക്കണമെന്നാണ് ഞാൻ അഭിപ്രായപ്പെടുന്നതു് ൨൦ വർഷത്തിനു മുമ്പു് ഞാനും ഈ സംഗതിക്കു വേണ്ടി അന്നത്തെ കമ്മിററിയിലെ അംഗമെന്ന നിലയിൽ രാജ്യം ഒട്ടുക്കു സഞ്ചരിച്ചിട്ടുണ്ടു്. ൨൦ വർഷമാലോചിച്ചിട്ടും മതിയായില്ല. ഇനിയും ക്രൂടുതലായി ആലോചിക്കണമെന്നു പറഞ്ഞാൽ പിന്നെ എങ്ങിനെയാണ് ഒരു കാൎയ്യത്തിനു പൎയ്യവസാനം ഉണ്ടാവുക.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*): രണ്ടു കക്ഷികളും പരിപൂൎണ്ണമായ സമ്മതിക്കത്തക്കവിധത്തിൽ ഇതിനൊരുതീരുമാനം ഉണ്ടാക്കാൻ കഴിയുന്നതാണൊ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): കഴിവുള്ളിടത്തോളം രണ്ടു കക്ഷികളുടേയും സമ്മതമനുസരിച്ചാണു തീരുമാനം ഉണ്ടാക്കിയിട്ടുള്ളതു്. ജന്മിമാരുടെ ഭോഗം ഗവൺമെന്റിൽ നിന്നും പിരിച്ചുകൊടുക്കണമെന്നുള്ള സംഗതി ഗവൺമെന്റു സമ്മതിച്ചുകഴിഞ്ഞിട്ടില്ലെന്നേയുള്ളു. അതിനെപ്പററി പൎയ്യാലോചിക്കുന്നതിനായി മാത്രം ഒരു പുതിയബിൽ തയ്യാറാക്കേണ്ട ആവശ്യമില്ല.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): കുടിയാന്മാൎക്കു് ഇതിലുള്ള ആക്ഷേപം എന്താണു്?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): കുടിയാന്മാൎക്കു് കാലം ഇനിയും നീട്ടുന്നതു് ഉപദ്രവകരമാണു്. കരം പിരിവുപോലെ ജന്മിഭോഗവും സൎക്കാർ പിരിക്കുന്നതായാൽ കരംപിരിവിൽ നടക്കുന്ന സാധാരണ നടപടികളുടെ വിഷമങ്ങൾ ഇതിലും ഉണ്ടാകും. ജംഗമസ്ഥാവര ജപ്തികൾ നടക്കും. എങ്കിലും ജന്മിമാരുടെ ക്ഷേമവും സമാധാനവും ഉദ്ദേശിച്ചും ഈ കാൎയ്യം അവസാനിക്കുമല്ലൊ എന്നു കരുതിയുമാണു് ആ വിധത്തിൽ സമ്മതിച്ചിട്ടുള്ളതു്.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): ജന്മിമാരുടെ കാൎയ്യസ്ഥന്മാരിൽ നിന്നുമുള്ള ഉപദ്രവത്തിൽ നിന്നും കുടിയാന്മാൎക്കു മോചനം കിട്ടുകയില്ലെ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): കാൎയ്യസ്ഥന്മാരുടെ ഉപദ്രവം കുറയുമെങ്കിൽ റവന്യൂ ഉദ്യോഗസ്ഥന്മാരിൽ നിന്നുമുള്ള ഉപദ്രവം കൂടുതലായി ഉണ്ടാകും.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഗവൺമെന്റിൽ നിന്നും ജന്മിമാരുടെ കരം പിരിച്ചു കൊടുക്കണമെന്നുള്ള തത്വത്തോടു ജന്മിഭാഗത്തുനിന്നും വിസമ്മതം പ്രകടിപ്പിച്ചിട്ടുള്ളതായി മെംബൎക്കു് അറിയാമൊ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഗവൺമെന്റിൽ നിന്നും തന്നെ ജന്മിമാരുടെ കരം പിരിച്ചുകൊടുക്കുന്നതിനു വ്യവസ്ഥയുണ്ടാക്കണമെന്നു നിർബന്ധമായി ജന്മിഭാഗത്തുനിന്നു അഭിപ്രായം പ്രകടിപ്പിച്ചിട്ടുണ്ടു്. എന്നാൽ മാത്രമെ ജന്മികൾ സമ്മതിക്കയൊള്ളു എന്നു പറഞ്ഞു മെംബർഉൾപ്പെടെയുള്ള മററു ജന്മിമാർ ഒപ്പു വച്ചിട്ടുള്ള ആ റിപ്പോർട്ടുതന്നെ ഇതിനു തെളിവാണു. ഈ സംഗതി, ബില്ലിനെ ഒരു സെലക്ട് കമ്മററിക്കുവീണ്ടും അയക്കണമെന്നു

[Mr. Tariatu Kunjitomman.]

പറഞ്ഞ കഴിഞ്ഞകൌൺസിലിൽ അഭിപ്രായപ്പെട്ടിട്ടില്ലാത്തതാണ്. സിലക്ട്കമ്മററിയിൽ പുതുതായി കൊണ്ടുവന്ന ഒരഭിപ്രായമാണ് ഇത്. ഇങ്ങിനെ ഒരഭിപ്രായം വന്നിട്ടും അതു കുടിയാന്മാക്കു വലിയ ഉപദ്രവകരമായിരുന്നിട്ടും ജന്മിമാരുടെ രക്ഷയ്ക്കും സമാധാനത്തിനും വേണ്ടി ഞങ്ങൾ ആ ഭാഗവും സമ്മതിച്ചുകൊടുത്തു.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*) : ജന്മിഭാഗത്തേക്കുള്ള വലുതായ നഷ്ടത്തെ സഹിച്ചു സ്നേഹത്തെമാത്രം ഉദ്ദേശിച്ചാണു ജന്മിമാർ ആവക സംഗതികൾ സമ്മതിച്ചിട്ടുള്ളതെന്നു മെംബർക്ക് അറിയാമൊ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അങ്ങിനെയാണ് ജന്മിമെംബർ എഴുതിയിട്ടുള്ളതെങ്കിലും അനുഭവത്തിൽ അങ്ങിനെയല്ല. ഞങ്ങളുടെ അന്വേഷണത്തിന്റെ ഫലമായി കരത്തിന്റെ ഒരു തോതു ബില്ലിൽ സ്വീകരിച്ചിട്ടുള്ളതും കുടിയാന്മാക്കു നഷ്ടമായ രീതിയിലാണ്. പണ്ടത്തെ കമ്മിററി മെംബറന്മാരിൽ ഞാൻ മാത്രമെ ഇപ്പോൾ ഈ കൌൺസിലിൽഉള്ളു. മൊത്തത്തിൽ സെററിൽമെൻറു കരം കുടികൾക്കു ദോഷമാണെന്നു എനിക്കന്നേ മനസ്സിലായിട്ടുണ്ട്. സെററിൽമെൻറു കരത്തിൽ കുറഞ്ഞ നിരക്കുകരം പത്തുശതമാനം കൂട്ടികൊടുക്കണമെന്നാണ് ബിൽ. ൧൦ ശതമാനവും സെററിൽമെൻറു കരത്തിൽ കുറവാണ്. എന്നാൽ ബിൽ പാസ്സായാൽ പത്തു ശതമാനം വീതം ഇപ്പോഴത്തേതിൽ കൂടുതലായി കൊടുക്കണം. ഇതിൽ നിന്നും ജന്മിമാക്കാണൊ കുടിയാന്മാക്കാണൊ കൂടുതൽ ഗുണമെന്ന് വ്യക്തമാകുന്നതാണ്. ഈ വിധമെല്ലാം കുടിയാന്മാർ കൂടുതൽ കൊടുക്കേണ്ടിവരികയും അതു സക്കാർ കരംപോലെ നിർബന്ധനടപടി നടത്തി റവന്യൂക്കാർ പിരിക്കാൻ സമ്മതിക്കയും മറ്റും ചെയ്തിട്ടുള്ളത് ഈ കാര്യത്തിനു ഒരു തീർച്ചയുണ്ടാകണമെന്നുവച്ചാണെന്നും ജന്മിമാക്കാണ് ഇതിൽ കൂടുതൽ ഗുണമെന്നും ഉള്ള വാസ്തവം ജന്മിമെംബർ നിഷേധിക്കയില്ലെന്നു വിചാരിക്കുന്നു. ഇപ്പോഴത്തെ നിയമത്തിലെ വ്യക്തതകൊണ്ടു വ്യവഹാരംമൂലം സാധു കുടിയാനവനുള്ള സങ്കടങ്ങൾക്കു പുതിയ നിയമത്താൽ രക്ഷകിട്ടുകയും തമ്മിൽ യോജിപ്പുണ്ടാവുകയും ചെയ്യുമല്ലോ എന്നു വിചാരിച്ചാണ് ഈ ബിൽ രൂപീകരിച്ചത്. ജന്മിമാർ ന്യൂനപക്ഷക്കാരാണ്. അവക്കു ദോഷകരമായ യാതൊരു സംഗതിയും നിയമരൂപേണ അവരുടെ മേൽ ചുമത്താൻ പാടില്ല. ആലോചിക്കുവാൻ വേണ്ടിടത്തോളം സമയം കൊടുക്കണം. എന്നൊക്കെ ഇവിടെ പലരും പറഞ്ഞു. എന്തു ദോഷമാണ് ജന്മിമാക്കുള്ളത്; കാലം നീട്ടുന്നതിനും അതിരുവേണ്ടേ? ൨൦-വർഷമായി പല കമ്മിററി

യും ഏർപ്പെടുത്തി. അവർ രാജ്യത്തിന്റെ നാനാഭാഗങ്ങളിലും സഞ്ചരിച്ചു അനേകം ജന്മിമാരേയും കുടിയാന്മാരേയും വിസ്തരിച്ചു. പ്രമാണങ്ങൾ പരിശോധിച്ചു. അതിനുശേഷം ഗാഢമായി ചിന്തിച്ചിട്ടാണു പഴയ ബിൽ തയ്യാറാക്കിയതു്. ആറുമാസക്കാലം ആലോചിച്ചിട്ടാണു ബിൽ രൂപീകരിച്ചതു്. ഗവണ്മെൻറു് അതിനെ സംബന്ധിച്ചു് ഒരു തീരുമാനം ഉണ്ടാക്കുമെന്നു അന്നു പ്രതീക്ഷിച്ചിരുന്നു. എന്നാൽ ഹൃദയഭേദകമാംവണ്ണം ഗവണ്മെൻറു് അതിനെ നിരാകരിച്ചു. അന്നുമുതൽ സാധുക്കളായ കൃഷീവലന്മാരുടെയിടയിൽ യോഗങ്ങൾ കൂടി പ്രമേയങ്ങൾ പാസാക്കി അയക്കുകയും ഡെപ്യൂട്ടേഷൻ മുഖേന സങ്കടം പറയുകയും പ്രജാസഭയിൽ തുടരെ തുടരെ നിവേദനങ്ങൾ സമർപ്പിക്കുകയും ചെയ്തുകൊണ്ടിരുന്നു. വെയിലും മഴയും മഞ്ഞും ഏററു് കല്ലിലും മുള്ളിലുംചേററിലും കിടന്നു കഷ്ടപ്പെട്ടുവേലചെയ്യുന്ന കൃഷിക്കാരുടെ കാര്യമാണിതു്. രണ്ടു മൂന്നു് താലൂക്കുമുഴുവനും ജന്മിമാരുടെ വകയാണു്. ജന്മിഭോഗം കൊടുക്കുന്ന വിഷയത്തിൽ കാര്യസ്ഥന്മാർ നിമിത്തം പല ബുദ്ധിമുട്ടുകളും കുടിയാന്മാർ അനുഭവിക്കുന്നുണ്ടു്. അതാണു വ്യക്തമായ നിയമത്തിനു അവർഅപേക്ഷിക്കുന്നതു്. ഇങ്ങിനെ തുടരെയുള്ള സങ്കടം പറച്ചിലിന്റെ ഫലമായി ഒരു ബിൽ അവതരിപ്പിക്കുന്നതിനു മിസ്റ്റർ എ. ജി. മേനവനു് ഒരിക്കൽ അനുവാദംകിട്ടി. ആ ബിൽ ഗസററിൽ വന്നു അവതരിപ്പിക്കാൻ പാടില്ല എന്നാണു് ഗവണ്മെൻറു് ഉടനെ പറഞ്ഞതു്. എന്തുമാത്രം ഇച്ഛാഭംഗമാണു് ഉണ്ടാക്കിയതു എന്നു നോക്കുക. പിന്നീടു ഒടുവിൽ ഗവണ്മെൻറുഭാഗത്തുനിന്നു പുതുതായികൊണ്ടുവന്നു. അതിനെ ഒന്നുകൂടി പുതുക്കണമെന്നു പറഞ്ഞു. രണ്ടുതവണ രണ്ടു കമ്മിററികൾവച്ചു അതുംകഴിഞ്ഞു;ഇനിയും കാലം ദീർഘിപ്പിക്കണമെന്നു പറയുന്നു. ഇതു് സാധുക്കളായ അർദ്ധപട്ടിണിക്കാരുടെ കാര്യമാണു്. രാജ്യത്തിന്റെ ഐശ്വര്യവും അഭിവൃദ്ധിയും വരുത്തിക്കൊണ്ടിരിക്കുന്നകൃഷിക്കാരായജനതതിയെ എത്രകാലം കണ്ണുനീരും കയ്യും ആക്കാം. ജനങ്ങളുടെ ക്ഷമയെ ഗവണ്മെൻറു ഇതിലധികം എങ്ങിനെപരീക്ഷിക്കും. ഇനിയും ഈ സംഗതി നീട്ടിക്കൊണ്ടുപോകുവാൻ പാടുള്ളതല്ല. കുടിയാന്മാക്കു വളരെ ദോഷകരമായ വ്യവസ്ഥകളാണു് ബില്ലിൽ ഉള്ളതു്. പൊളിച്ചെഴുത്തിൽ ഒപ്പുസൂചി ആറടിയന്ത്രം മുതലായ പലഇനങ്ങളുണ്ടു്. ആ ഇനങ്ങൾ ഇന്നതെല്ലാമെന്നു് ക്ലിപ്തപ്പെടുത്തിയിട്ടുള്ളതുകൊണ്ടു് ഉപദ്രവങ്ങൾക്കു് അല്പംകുറവുണ്ടാകാം. പക്ഷെ പന്ത്രണ്ടുകൊല്ലംകഴിഞ്ഞു് കൊടുക്കേണ്ട തുക ഇന്നുമുതൽ കൊടുക്കണം. ഈതരത്തിൽ കൂടുതൽ ഗുണം ഉണ്ടാകുന്നതു് ജന്മിമാക്കാണു്. അവർ ഒരുമൈനർസമുദായമായതുകൊണ്ടു് അവരെകഷ്ടപ്പെടുത്തണമെന്നു ആക്കും വിചാരമില്ല. അവക്കു യാതൊ

[Mr. Tariatu Kunjitomman.]

ദോഷവും വരരുത് എന്നു വിചാരിച്ചാണ് പല സംഗതികളും സമ്മതിച്ചു കൊടുത്തിട്ടുള്ളതു്. അവർക്കു ന്യായമായുള്ളതിൽ പത്തുമടങ്ങ് സൌകര്യംകൊടുത്തിട്ടുണ്ടു്. വടക്കൻതിരുവിതാംകൂറിലാണ് ജന്മിമാർക്കു കൂടുതൽ ഭൂമിയുള്ളതു്. അവിടെയുള്ള കുടിയാന്മാരുടെയിടയിലുള്ള ദുസ്സഹമായ സങ്കടവും കഷ്ടതയും പ്രതിദിനം കണ്ടുകൊണ്ടിരിക്കുന്നതുകൊണ്ടുകൂടിയാണ് കാലം ദീർഘിപ്പിക്കാൻ പാടില്ല എന്നു് കഴിഞ്ഞ പ്രാവശ്യം ഞാൻ പ്രസ്താവിച്ചതു്. എന്നാൽ അടുത്ത ... വണവരെ സമയംകൊടുത്തു പരീക്ഷിച്ചുനോക്കണമെന്നു പ്രസിഡൻറു് അവർകൾ പറഞ്ഞതിനെ ഞങ്ങൾ ശിരസാവഹിച്ചു. എന്നിട്ടു് ഇനിയും സമയംനീട്ടണമെന്നു പറയുന്നു. ഈ സംഗതിയിൽ കുടിയാന്മാർ ജനപ്രതിനിധികളെ പലവിധത്തിലും കുററപ്പെടുത്തുകയും ശാസിക്കുകയും ചെയ്തുകൊണ്ടിരിക്കുന്നു. സർക്കാരിൽനിന്നും കരംപിരിച്ചുവരുന്നതു് ദുസ്സഹമായിരിക്കെ ആ തത്വം ജന്മിമാരുടെ വിഷയത്തിലും നിങ്ങൾ സ്വീകരിച്ചതു് എന്തിനാണെന്നാണ് അവർ ചോദിക്കുന്നതു്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): ഈ തത്വം സ്വീകരിക്കുന്നതിൽ ജന്മിമെമ്പറന്മാർ ആക്ഷേപം പുറപ്പെടുവിച്ചിട്ടുണ്ടെന്നുള്ള വിവരം മെമ്പർക്കറിയാമൊ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഗവൺമെൻറു ജന്മിക്കരം പിരിച്ചുകൊടുക്കണമെന്നുള്ള സംഗതി നിർബന്ധമായിട്ടാണ് മെമ്പർ കമ്മിററിയിൽപറഞ്ഞിട്ടുള്ളതു്. ജന്മിക്കു് ൧൦ ശതമാനം ആധാരങ്ങളിലും പത്തുശതമാനം കൂടുതലായിട്ടാണു ഇനിമേൽ കൊടുക്കേണ്ടിയിരിക്കുന്നതു്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): ഇന്നത്തെനിലയ്ക്കു ജന്മിക്കുകിട്ടേണ്ട സകലഅവകാശങ്ങളും പ്രതിഫലംകൂടാതെ കുടിയാന്മാർക്ക് വിട്ടുകൊടുക്കുകയും കരംപിരിച്ചു് തരുന്നവിഷയത്തിൽ മാത്രം അഭിപ്രായവ്യത്യാസം ഉണ്ടാകുകയുമാണു ചെയ്തിട്ടുള്ളതെന്നു മെമ്പർക്കറിയാമൊ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): റിപ്പോർട്ടിനോടു യോജിക്കാത്തതും പ്രത്യക്ഷത്തിൽ വിരുദ്ധവുമായ സംഗതിയാണ് ജന്മിമാർക്കു നഷ്ടമാണെന്നുപറയുന്നതു്. ൧൨ വർഷംകഴിഞ്ഞു് കൊടുക്കേണ്ടതു് പ്രതിവർഷവും കൊടുക്കേണ്ടതായി വരുന്നു.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): ൧൨ വർഷം കഴിഞ്ഞുകിട്ടേണ്ട തുകയ്ക്കു് പകരം ആദ്യമേ തരുന്നതു തുച്ഛമായ ഒരു സംഖ്യയാണ്. അതിൻെറ പലിശകൂടി കണക്കാക്കുന്നതായാൽ ജന്മിമാർക്ക് ഗുണകരമാണൊ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): രണ്ടും നാലും പലിശനിരക്കുവച്ചാണു് സാധാരണ പണമിടപാടു നടത്തുന്നതു്. ഇവിടെ അരേഅരയ്ക്കാൽ പലിശമാത്രമെ കുടിയാനവനു വകവച്ചുകൊടുത്തിട്ടുള്ളു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): പലിശ അരേഅരയ്ക്കാലാണൊ? കാലെഅരയ്ക്കാലല്ലെ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*) ശരി. ഒടുവിൽ കാലേഅരയ്ക്കാൽ പലിശയാണു് വകവച്ചിട്ടുള്ളതു്. നൂറിനു അഞ്ചും എട്ടും പലിശയ്ക്കും ഇപ്പോഴും പണം വാങ്ങിക്കാറുണ്ടു്.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): ആദ്യമേ കൊടുക്കേണ്ട തുകകളെ ബാങ്കിൽകൊടുത്താൽ കുടിയാന്മാൎക്കു് കൂടുതൽ പലിശ കിട്ടുകയില്ലെ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇന്നത്തെനിലയ്ക്കു് ജന്മിമാൎക്കാണു അതുകൊണ്ടും ഗുണമുള്ളതു്. ജന്മിമാൎക്കേ ബാങ്കിൽ സൂക്ഷിക്കാൻ സാധിക്കു.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, may I know how the comparative gains and losses of tenants and jenmies with regard to this Bill can be relevant to a motion for the adjournment of the debate?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അതിനാൽ ഇനിയും കാലംനീട്ടാതെ ഈ ബില്ലിനെ വേണ്ടവിധത്തിൽ പൎയ്യാലോചിച്ചു, ദുസ്സഹമായ സങ്കടമനുഭവിച്ചുകൊണ്ടിരിക്കുന്ന ജനങ്ങളെ ആശ്വസിപ്പിച്ചു സമാധാനപ്പെടുത്തണമെന്നു ഞാൻ ഈ കൌൺസിലിനെ ഉൽബോധിപ്പിച്ചുകൊള്ളുന്നു.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഈ ബില്ലിനെപ്പററി ആലോചിക്കുന്നതിനായിമാത്രം പ്രത്യേകം ഒരു സമയത്തേക്കു് ഒന്നോ രണ്ടോ മാസം നീട്ടുന്നതിനു് മെമ്പർ തയ്യാറുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*). ആ സംഗതിമുമ്പിലത്തെ കൌൺസിലിൽതന്നെ വ്യക്തമായി പറഞ്ഞിട്ടുണ്ടു്. എന്നാൽ ഇതിലേക്കായിമാത്രം ഒന്നോ, രണ്ടോ മാസം നീട്ടുന്നതുകൊണ്ടു തരക്കേടില്ല. കാലം ദീൎഘിപ്പിക്കുന്നതു വളരെ സങ്കടമാണു്. അതിനാൽ അടുത്ത ബഡ്ജററു് കാലത്തിനപ്പുറം നീട്ടാതെ അവസാനിപ്പിക്കുമെങ്കിൽ അതിനു വിരോധമില്ല. സമാധാനം ഉണ്ടാകട്ടെ.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Sir, in view of the importance of this Bill, I have to state a few facts which, I believe, may be considered by this House in arriving at a conclusion on the motion that is now before the House. No doubt, we have all been complaining that this matter has been pending too long. It has been our earnest endeavour to push on with the consideration of the Bill. The

[Mr. S. Krishna Pillai.]

proceedings of the last sitting of this Council would show what amount of heartburn there was in this House when the motion for the recommittal of this Bill to a Select Committee was made. There was an express understanding that this Select Committee would consider the matter and submit its report in time for this House to discuss the Bill. I believe it is not more than five or six days since the Select Committee's report and the Bill as revised were put into our hands. At any rate, that was the case with *me.* We tried to read through the Bill and understand it, and we also attempted to send up our amendments. Reading through the Bill, I find that even though the recommendations of the Select Committee were *somewhat* in favour of the kudiyan and *mainly* in favour of the jenmi, although it might be accepted by way of a compromise of a long-standing dispute between the jenmi and the kudiyan, I have my own misgivings with regard to some of the provisions contained therein, and I am not yet satisfied that this Bill should be pushed through, *as it is,* without any amendment. There are certain factors mentioned in this report that have to be considered more dispassionately and more calmly. I would have opposed the motion made by Mr. Tuppan Namputiripad with all the energy that I could command had it not been for this shortcoming with regard to this Bill. No doubt, the Select Committee tried their best to submit their Report early. But, it was found that it involved a lot of enquiry and circuit and a lot of examination of documents; and, even after the last sitting of the Select Committee, they had to sit up and draft a Bill. The new Bill was to be an amendment of the old Bill. All this necessarily required some little time; and they might probably be excused for not submitting their report earlier and for not publishng it in the Gazette earlier. Although the members of the Committee are satisfied that all the suggestions they have made here are more or less by way of compromise between the claims of the jenmies and kudiyans, from some of the letters, I have been receiving and from conversations I have been having with some of the representatives of the State, I have reason to doubt whether it is a compromise which could be accepted, as it is, without discussing the *pros* and *cons* of the suggestions made. These are matters which require, as I said already, some little time to think over. Had it not been for that, I would certainly have opposed Mr. Tuppan Namputiripad. But, as it stands, I have only one suggestion to make. I am certainly averse to postponing the Bill any longer. It must be pushed on as vigorously and as earnestly as possible; but that does not mean it must be pushed through without proper consideration and attention bestowed on it. In view of the longstanding disappointment and the earnest attempts made by the people, I would make one suggestion, and that is that the Government must consider the urgency of this matter and try to fix a special session of this Council for the consideration of this Bill. If the members of this House and the public are given at least a month's time to consider the provisions of the Report and to make the necessary proposals—I believe

a month's time would be sufficient—and if the Government agree to hold a special session for the consideration of this Bill, I will support the motion of Mr. Tuppan Namputiripad; but I will do it only on this understanding, *viz*., that within a month, or for that matter within two months at the most, at any rate before the Budget Session commences, Government should fix a special session to take up this Bill for consideration. Government must also undertake that for no reason whatsoever they will withhold this Bill from the House any more. Under the Standing Orders, I find that when once a debate is adjourned, when once the consideration of the Bill is postponed, it is within the powers of the Government to bring it up or not to bring it up for consideration at the next sitting. That is a contingency that has to be guarded against. Therefore it is, that I insist upon a definite assurance from the Government that they would not postpone the consideration of the Bill beyond the next Budget Session. There is no harm in postponing the consideration of the Bill for a short period. If the Government would not undertake, if the Government would not promise to this House that this Bill would be considered and finally passed at the Budget Session, or that they would do their utmost to enable this House to consider this Bill and get it passed within the next two months, I would oppose the motion made by Mr. Tuppan Namputiripad. We will risk, at whatever cost, the pushing through of the Bill with all its defects. We have been waiting too long for some relief from some of the worst provisions of the Jenmi and Kudiyan Regulation of 1071. Our patience has been considerably taxed, and we are not prepared to wait any longer. Every time a new Bill was brought up for consideration, at every turn, the jenmies alone stood in the way of the kudiyans. They were throwing obstacles in the way. Last time when the Bill, as amended by the Select Committee, was brought up for consideration, a new suggestion that the Bill might be referred back to a fresh Select Committee for the consideration of a new proposition, was made. We opposed it. But the prospect of a compromise appeared to be so very enticing that several of us had to fall in with the proposal. Now we find, we are entrapped. If we are to fall in with the views of Mr, Tuppan Namputiripad now, I am certain that this Bill would not be considered by this House, and this House would not be in a position to pass this Bill even this year. The nature of the work we will have to transact during the Budget Session, we know. The Government Bills that are ordinarily brought up for consideration during the Budget session are either unimportant or small. We also know that the time at the disposal of the House, during the Budget Session would be extremely limited, so far as legislative business is concerned. We also know that this is a Bill which will require not less than three days. If the jenmi members now tell us that this may be adjourned now and that we may hope that it will be taken up for consideration at the Budget Session, we are not prepared to accept their words. We will have to wait till Dhanu next. That is a very long period. This House will not be in a position to wait so long.

[Mr. S. Krishna Pillai.]

One important objection pointed out by Mr. Tuppan Namputiripad in regard to the consideration of this Bill at present is that the jenmi members accepted the principles laid down in the Select Committee's report on the express understanding that the Government would agree to collect the dues of the jenmies. We are very glad to hear that the Committee made themselves very clear on that point. This is a matter which is purely irrelevant for the purpose of this debate. The directions to the Select Committee simply stated that they should consider the question whether an arrangement could reasonably be made and if so draft and submit the necessary legislative provision. The Committee have taken evidence on that question and have suggested suitable amendments to the Bill. There is nothing more to be done. When the Committee has submitted its report, if any member of the House finds any short-comings in that report or in the Bill, as revised, his business is to propose amendments, as many amendments as in his opinion, are necessary. If in the opinion of any member a new provision has to be added, he has simply to draft a clause and send it up for the consideration of the House. The House will consider it, and if it is accepted it will form part of the Bill. There is absolutely no meaning in Mr. Tuppan Namputiripad's statement that the Government must undertake to collect the jenmi's dues and that then only the Bill should be taken up for consideration and proceeded with. I am of opinion that the reasoning urged by Mr. Tuppan Namputiripad is absolutely wrong. If Mr. Tuppan Namputiripad was a member of the Select Committee he must have understood that the Bill did not contain a provision for this purpose. It was his duty to have submitted, not this adjournment motion, but a motion for the amendment of the Bill. Instead of doing that he comes up and tries to put obstacles in our way. That is a conduct which we shall certainly not be justified in putting up with. I therefore protest against the motion for postponement made by Mr. Tuppan Namputiripad. However, I may suggest that the matter might be considered if the Government would accept the two conditions that I have suggested. Then, I have absolutely no objection in postponing the consideration of the Bill. I want it to be clearly understood that I make this suggestion simply because the Select Committee was not able to submit its report sufficiently early for all the members of the House to consider and study the Bill in all its aspects.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, I rise to oppose this motion for adjournment of the debate. If at all the House could agree to an adjournment of the debate it could only be at the prospect of some settlement in the future. From the debate, the representations of the jenmies and others that we have had the benefit of hearing in this House, it seems to me pretty clear that even if the Government accepts the responsibility of collecting the dues for the jenmies, Mr. Tuppan Namputiripad may have some amendments to this Bill. Even then, he may express contrary views and suggest provisions which would have the effect of nullifiying the effect of the formula introduced

in the Bill. My friend Mr. Krishna Pillai was saying that this Bill was against the interests of the kudiyans. So, there is every prospect of further conflict even if Government were to make an attempt, at an amicable settlement, by taking up the responsibility of collecting the jenmies dues and handing it over to them. So, the House, in my opinion, need not still be under the hallucination that a *complete* agreement on the part of the jennies and the kudiyans can at any time be achieved. On the last occasion, I supported the postponement, for the recommittal of the Bill, because I thought that the last and *final* chance should be given for an agreement to be arrived at, and it was specifically laid down and made clear, by member after member, that *on no account the* consideration of this Bill would be postponed futher. I think the jenmi members and the Government, and the House as a whole, accepted that proposition. That being sc, I do not see any reason why we should make any adjournment now, because the Government fail to give or delay in giving an undertaking to collect the dues and hand it over to the jenmi. It is clear from the mandate given by this House to the Committee that we were never parties to any such condition that the Government must undertake the responsibility of collection. We wanted the committee to go into the question and enquire and submit a report as to the possibility of arriving at an arrangement that will be reasonable. And the Committee have accordingly submitted, for the consideration of the House, a report which, in the opinion of the majority, is the reasonable arrangement that they can come to. If the jenmi members of the Committee think that they could accept the principle of the Bill only with a condition tacked on to it, I think it is not acceptance at all, because acceptance with a condition is as good as no acceptance at all—such a condition especially. So, because I do not see any prospect of complete unanimity in the matter of passing this Bill at any time, I do not think it is worthwhile to waste our time over the alluring prospect of a unanimous agreement. The Bill, if it is allowed to delay, will create controversies, will divide opinion further, will harden both the parties. An agreement will become more and more impossible as days go on. As one who desires an amicable settlement with as little friction as possible, I would recommend the taking up of the Bill by this Council as soon as possible. I think the jenmi members have been getting too much of our sympathy by reiterating that they are in a minority. Being human, we were moved, and it was only by such considerations of sympathy, so eloquently put forward by that illustrious Deputy President, the late lamented Rao Bahadur K. A. Krishna Aiyangar, that we were to a certain extent won over, and we agreed for the postponement. After the postponement, the Committee has submitted its Report which has been a very judicious settlement of the rights of the respective parties. I think it is not wise on the part of this House to wait indefinitely. I do not wish to say what view I would take in case the Government propose to have a special session for the consideration of the Bill. I think that is absolutely irrelevant for the present discussion, since the Government have not

[Mr. K. Kunjukrishna Pillai.]

come forward with any such proposal. When that proposal is accepted by Government—it has now been suggested by Mr. S. Krishna Pillai—it will be time enough for us to express an opinion on it.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Does the member want that the Government should express an opinion on it?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Yes. Government should undertake definitely. Otherwise, there is no good. Even there, we are going out of our way. I made it clear, many members made it clear, that we shall not and will not be moved either by sympathy or by any other consideration for further postponement of this urgent piece of legislation. Not that we are not willing to allow any concession. But postponment of the matter creates bad feeling and makes it more and more difficult to come to a settlement. The sooner it is done, the better. I think the Council has had sufficient time to consider this question comprehensively. The general principles of the question, and the grievances of the parties have been before the Council for a very long time indeed. As such, in regard to the suggestion made by my friend to consider the Bill in a special session of the Council, I am not now called upon to express my opinion on it.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I too find it extremely difficult to agree to the demand now made by Mr. Tuppan Namputiripad. At the last meeting, it has to be remembered, it was the jenmi representatives who made the proposal that time should be given to see whether an adjustment could not be made on this basis, *viz.*, whether the Settlement *pattom* minus the Sirkar tax could not be taken in lieu of what is due to the jenmi under all heads. It has to be borne in mind again that they did not then make it a condition of their acceptance of that arrangement that the Government should agree to collect the dues for them and hand it over to them. No such condition was then brought forward by them. They merely wanted the House to agree to their proposal to see whether the Settlement *pattom* minus the Sirkar tax could not be taken as the jenmi's dues in lieu of what is due to him under various items.

Sir, I may also mention one fact in this connection. What is now realised by the jenmi consists of three kinds of dues; one is the annual payment known as *michavaram*, another the payment known as renewal fees realisable once in twelve years, and the third certain customary dues payable from time to time or on the happening of certain events, for instance, marriage, death and such other things.

Now, in the first Bill, as settled by the Select Committee, we suggested a particular course. We said that all these payments realisable once every year, once in twelve years and from time to time occasionally, could be commuted into annual payments, the annual payments alone remaining as such, the amount payable once in twelve years being distributed

over the period of twelve years, thus making a fraction of it payable annually and the other cesses also being made payable annually. Thus we arrived at the amount payable every year in lieu of all dues realisable by the jenmi. This is called the *jenmivaram*. The suggestion put forward by the jenmi members at the last meeting was whether in lieu of the *jenmikkaram* we could not accept the Sirkar *pattom* minus the Sirkar tax. There was absolutely no condition that the Government should collect the dues for them. The matter was referred to a fresh Select Committee which thought it proper to take evidence as to how the rights and liabilities of the parties would be affected in case that course was adopted. Sub-Committees were appointed which toured the different parts of the State, examined documents, and took evidence. They found that there was great divergence between the *jenmivaram* fixed on the basis proposed and Settlement *pattom* minus the Sirkar tax. The divergence in some cases was so great that the Settlement *pattom* minus the Sirkar tax could not be accepted in lieu of all the dues. And a compromise was arrived at to the effect that in cases where there was divergence of more than ten per cent. of the *jenmivaram*, ten per cent. of the *jenmivaram* must be added to or subtracted from the *jenmivaram* according as the divergence is in favour of or against the jenmi. When the divergence is not more than ten per cent. of the *jenmivaram* the Settlement *pattom* minus the Sirkar tax will be the amount annually payable to the jenmi. It was also found that in the majority of cases the Settlement *pattom* minus the Sirkar tax was higher than the *jenmivaram*. So, the arrangement now proposed is clearly to the advantage of the jenmi; and I am astonished to see my friend Mr. Tuppan Namputiripad emphasising over and over again that the jenmies stand to lose, in case the present proposal is accepted while in fact it is not so. It is the kudiyan who loses, if at all. No doubt, we all wish to arrive at a settled condition of things, and a little loss to the one side or the other does not matter much. Anyhow it is distinctly found from the findings of the Committee and from the evidence taken that the jenmies stand to gain. And, they were agreed on that point. It may be said that the periodical right to enhance the *michavaram* has been given up. That is true. But, the right to *reduce* the *michavaram* has *also* been given up by the kudiyan. Further, in the original Bill, the period for the enhancement or reduction of *michavaram* was fixed at twenty years. The first Select Committee fixed it at thirty years. Now, in the Bill as revised by the second Select Committee, the Settlement period has been fixed for that purpose. I do not see how the jenmies lose there either. So, the jenmies do not lose substantially by this arrangement; and there is no force in the contention that there has been a sacrifice on their part. I do not say that their position is not in the least affected. In some cases, they might be a bit adversely affected; in others, they would be beneficially affected to an equal or greater extent. I cannot therefore understand their contention that the Government should undertake the collection of the dues on their behalf, and that on that condition alone they would agree. As was suggested by my friends, it would even be criminal to put off the consideration of this

[Mr. A. Thanu Pillai.]

Bill. The matter is so pressing, and the history of this piece of legislation, as has been pointed out by my friends, is a story of failures on the part of the tenants. It may also have been a failure on the part of the jenmies. Both parties want a change. But, somehow or other, the change could not be effected so far. This is one of the things in which the Government have shown themselves to be unsteady. They appointed a Committee that went into the whole question, toured throughout the State, recorded elaborate evidence and finally submitted a report and a draft Bill which was thrown away by the Government. Years passed. The agitation grew in strength. Eventually, a Bill was sought to be introduced here; and the Government opened their eyes when they found they could not resist the introduction of the Bill. They said "All right, we shall introduce our own Bill; and before that, we shall call together a conference of the representatives of the jenmies and of the kudiyans and try to arrive at unanimous conclusions." That was done. A Bill was introduced and referred to a Select Committee, a strongly constituted body, which sat for a long time, and submitted a report. It was at this stage that the jenmi members said "Let us try whether we cannot put an end to the disputes and see whether the Settlement *pattom* cannot be taken as the basis." We have got the report of the Select Committee before us wherein both sides have agreed on the main issues in all substantial matters, the only difference being in regard to the method of collection. No member of the Select Committee has any objection to the Government collecting the dues on behalf of the jenmies, and it is a matter for the Government to consider. If the Government do not find it feasible to undertake that duty, that, I maintain, is no reason why the jenmies should be allowed to say "No, we shall not proceed with the Bill." Now, as was stated by my friend Mr. Krishna Pillai, this is a very important matter, and sufficient time has no doubt been given for consideration. It has been considered fully well in all its aspects by the Select Committee; and it is better that we proceed with it straightaway. Even though the jenmi representatives happen to be in a minority, we do not intend to throw overboard their opinion in a piece of legislation like this. If that had been our aim, we could have done it long ago. But that is not the object of any member of this House. We want to be reasonable; and when we deal with the rights of minorities, who are not represented in large numbers, we must be a little overcareful. Taking all these into account, I still maintain that it would be in the interests of both the jenmies and the kudiyans that we proceed with this Bill. If time is to be granted, as was suggested, it can only be granted on this distinct understanding that the Bill would be proceeded with *whether the Government agree to the collection of the dues on behalf of the jenmies or not*. That should not be allowed to determine the course of the Bill. Some time may be given for the Government to consider their position in the matter; and, personally I do not see why the Government should

not find it feasible to undertake it, because it is a duty for them to undertake, not in the interests of the jenmies alone but in the interests of the State as a whole, at any rate in the interests of a large portion of the population of the State. It is not easy to see what practical or what great difficulties there can be in the way of Government undertaking that duty. Now, whether they undertake it or not, the House must be in a position to proceed with the Bill. For that, the first condition is that Government must undertake to bring up this Bill before the Council as early as possible. It was suggested that a special session would be more convenient than the Budget Session. I too am of that opinion. But, if it be urged that there are only three months for the Budget Session, it must be definitely assured that a sufficient number of official days will be allotted for legislative work during that session, as, otherwise, there will be no chance of the Bill being got through. Even though we may agree to the postponement so that Government may consider the matter, it must be distinctly understood that the Bill will be brought up and placed before the Council early, so that the House may deal with it in the way it thinks best, whether the Government agree to the collection of the dues on behalf of the jenmies or not. If these two things are made clear, in spite of the delay, the very great delay, that has already occurred in this matter, the consideration may be postponed for about two or three months till the Budget Session. That is my view Of course, I also wish to make it plain that if possible, we must take the jenmies also along with us and should try to legislate on this matter with complete unanimity and without any discordant views being expresssed. That is my object in agreeing to this motion. I am definitely of opinion that no adjournment should be given on the grounds stated by Mr. Tuppan Namputiripad. It can by no means be a condition, for the Bill being proceeded with, that the Government should agree to the collection of the dues. I really was wondering why the Select Committee should have made much of this aspect of the matter, *viz*, the collection of dues. In the Bill, as now settled by the Select Committee itself, *i. e.*, in the from in which it is before the House, there is a provision enabling the jenmies to realise their dues speedily. I am referring to clause 26. When the jenmi wants to realise his dues which have fallen into arrears, he has only to apply to the Tahsildar for collecting them and the Tahsildar must see that the arrears are collected; for, the duty is cast upon him. What more does the jenmi want? No doubt there is, one limitation there, that is, the dues will be collected, only for one year. Arrears should not be allowed to accumulate for more than one year. Why should he wait for more than one year and allow the arrears to accumulate? Every year he has the right, even under the Bill as it is, to apply to the Tahsildar for the provisions, of the Revenue Recovery Regulation being invoked for the collection of his dues; and the Tahsildar will easily collect and pay the jenmi his dues. There is absolutely no difficulty in the realisation even according to the Bill as it is. What the jenmies now want is that the

[Mr. A. Thanu Pillai]

Government themselves should take the initiative in the matter, collect the dues and hand them over to the sleeping jenmies. The jenmies also must be alive to their rights and must not expect others to do everything for them. They have been given ample facilities even under the Bill as it is now before the House. Sir, it is not everybody that can get the privilege of invoking the provisions of the Revenue Recovery Regulation for the realisation of his dues. The jenmies have been given that valuable right under this Bill. They have also been given other remedies. They can go to the Civil Court. They can make use of summary procedure; and every time a tenant makes default the jenmi can seek the aid of the Revenue Recovery Regulation for the collection of his dues, provided, he does not allow the arrears to accumulate for more than one year. So, in substance, there is absolutely no force in the contention, put forward by Mr. Tuppan Namburipad, that until the Government agree to take the initiative themselves and to collect and pay the jenmies' dues, this Bill must not be taken up for consideration. Further, Sir, the majority of the Select Committee *are* agreeable to the Government undertaking this responsibility on behalf of the jenmies And the Government have had ample time before them to arrive at a definite conclusion in the matter. Somehow, they have not done it. Let us hope they will do it as speedily as possible so that we can proceed with the Bill at least two or three months hence.

With these observations, sir, if the Law Member can assure us that he will certainly bring up this Bill at the next meeting of the Council, if not in an earlier special session, and allot a sufficient number of days for this business during the Budget Session, I shall have no objection to the consideration of the Bill being postponed for the present.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): I do not find my way to support the motion put forward by Mr. Tuppan Namburipad. In his motion, there is no guarantee that the question would be solved in a definite period of time. He simply says that the Bill is to be postponed till the Government is pleased to accept the terms put forward by the jenmi members and till a revised Bill is framed on the basis of the same. That is indeed a postponement for an indefinite period. The member does not also say that he has approached the Government to give a definite answer to the question, nor does he show any means of making the Government definitely express their opinion on the point. Anyhow, the jenmi-kudiyan problem has been a longstanding one and a vexed question also. It is clearly over a century old. We find that, as early as 1005 M. E., the dispute between the jenmies and the kudi yans in the State was taken up by Government for consideration. In the Royal Edict of 1005 M. E., there was a command of His Highness communicated by the Sarvadhikariakar to the Appeal Court to the effect that the kudiyan

should not be evicted at the caprice of the jenmi. That commandment was followed by a similar communication in 1007, and has been made into law later by a Proclamation, dated 1042 M. E. The Proclamation of 1042 is, as it were, the Magna Charta of the jenmi and kudiyan relationship. That Proclamation definitely says that the kudiyans should not be evicted from their holdings so dear to them except under definite circumstances strictly proved. The kudiyans are depending for their everything upon the holdings they possess. They derived even their family names, sometimes, from the properties they held. So, the kudiyans were allowed to remain in possession of their holdings as they used to do before the year 1042. Subsequently, in 1071, the question was further thought over and the Regulation, now under amendment, was passed. In 1071, the question, with regard to eviction was settled. The question of renewal was also settled. The Regulation of 1071 was found unsatisfactory. Both the jenmies and the kudiyans agitated and, as a result, Government had to interfere and draft one Bill or another, at one time or another. The question has been brought to the attention of the Government almost every year, from not long after 1071, by means of representations made in the Sri Mulam Popular Assembly. Consequently, a Commission was appointedin 1091. The Commission went round the State and submitted a Report which however was eventually thrown out by Government. The people's agitation continued, and the Government published a draft Bill in 1924, that is, eight years ago. Even that Bill was noticed to be unsatisfactory, and the Government thereupon called together a Round Table Conference representing all the diverse interests, and the Dewan presided over it. Unanimous conclusions were reached at the Conference, and they were incorporated in an amending Bill. This in fact, is the Bill, that awaits the decision of this House. When that Committee's Report on the Bill came up to the Council, that is, in the last meeting of this House, it was moved by the jenmi member that the question may, once for all, be settled by an altogether new proposition based on the settlement *pattom* being considered. Although, in past years the main question was the eviction of the kudiyans from the holdings, later on it was felt by the kudiyans that they could not pay the dues of the jenmies as revised by the successive renewals. That is mainly the question now under consideration. The jenmies easily realised that they have managed to contract for the full yield of their property and they are now willing to give up some of their points in favour of the suffering kudiyans. Of course, the jenmies have had their points already, and the kudiyans have been able to grant them without demur wherever possible. Evidence was taken by the Committee appointed by this House and it has been found that the new proposition as it is would hit hard most of the kudiyans if the formula suggested in the reference to the Committee is applied uniformly. The Committee, therefore, have proposed some variations wherever necessary and within limits. They have allowed a variation of ten per cent. either way, in cases where the application of the formula would cause substantial

[Mr. K. P. Abraham.]

divergence from the present dues under the deeds now in force. Now, this is the amicable settlement arrived at by consensus of opinion in the Select Committee. The jenmi members as well as the other members the Select Committee have agreed that the formula arrived at is acceptable to both the jenmies and the kudiyans. Only one condition has been attached by the jenmi members, namely, that the amount agreed upon should be collected for them by the Government. The other members, of course, had nothing to say against it. They only thought that it was not in their power to grant or to reject it. They also thought that, in the interests of the large community that is affected by the present Regulation, the Government would undertake to accede to this request of the jenmies. Of course, the kudiyan side could not say that the Government should necessarily accept it. At the same time they wished, and also hoped, that the Government would do this favour to the jenmies, because this is a question which affects almost half the population of the State and also a fourth of the area of cultivated land in the State. The question therefore being one which affects the country at large on a considerable scale, the members hope that the Government would take up this question seriously, and at this juncture, give a definite answer and solve the question once for all. If the Government undertake to solve the question within a definite time, of course, I think, the jenmi members may however be given a chance more and the Bill may be considered at a subsequent date.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Suppose three days are allotted in the Budget Session for this Bill alone, will that satisfy the member?

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*): I think if three full days are allotted, that may be sufficient for the discussion of this Bill: or a special meeting may be held for this purpose. So, if the Government will undertake to do that, I shall support the motion of Mr. Tuppan Namputiripad. Otherwise, I beg to oppose the motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, as I said a little while ago, I am prepared to support the motion, so far as it relates to the postponement of the debate, on the ground that the Government require a little time to announce their decision in regard to the jenmies' demand; and I may assure the House that I have not got the least idea of delaying the Bill or of laying it aside or of standing in the way of its being pushed through and I am prepared to give an undertaking to the House; that three days will be allotted during the Budget Session for the consideration of this Bill.

MR. KOCHUKORA TARAKAN (*Kunnatnad*). ഈ ബിൽ കൊണ്ടുവരുന്നതു് ബഡ്ജററ് സെഷൻെറ ആദ്യമാണോ അവസാനമാണോ ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*). I know that there is some feeling that the three days might better be allotted during the earlier part of the Budget Session.

I am sorry I cannot give a definite undertaking in regard to that. All that I can say is that I shall *try* to do it. But I can give a definite assurance that three days will be allotted for this Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know from the learned Law Member whether, if within the three days allotted during the Budget Session the consideration of the Bill is not finished, Government would be pleased to hold a special session for this purpose immediately after the Budget Session ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not now in a position to say anything definite in regard to that.

Probably I had better repeat in Malayalam what I have been saying, in order that Mr. Tuppan Nambutiripad may understand the real position.

ജന്മിക്കരം പിരിച്ചുകൊടുക്കണമെന്ന് ജന്മിമാർ അപേക്ഷിച്ചിട്ടുണ്ട്. അതു് നല്ലവണ്ണം ആലോചിച്ചുതീരുമാനിക്കേണ്ട ഒരു സംഗതിയാണ്. അതിനെപ്പററി ആലോചിക്കുന്നതിന് അല്പം സമയം ആവശ്യമുണ്ട്. ഇപ്പോൾ അതിനെപ്പററി തീർച്ചപറയാൻ നിവൃത്തിയില്ലാത്തതുകൊണ്ടു ഈ ബിൽ വാദപ്രതിവാദത്തിനായി മാററിവയ്ക്കണം. അങ്ങിനെമാററുന്നതു് മിസ്റ്റർ തുപ്പൻനമ്പൂതിരിപ്പാട് പറഞ്ഞകാരണങ്ങൾകൊണ്ടല്ല. അടുത്തബഡ്ജററുസെഷനിൽ ഈ ബില്ലിലേക്ക് വേണ്ടിമൂന്നുദിവസം നിശ്ചയിക്കാം.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jennies*): അതിനുമുമ്പ് ഗവൺമെൻറിൻെറ അഭിപ്രായംപറയുവാൻ കഴിയുമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതിനുമുമ്പ് ഗവർമ്മെൻറിൻെറ അഭിപ്രായം പറവാൻ സാധിക്കും.

MR. C. N. TUPPANNAMPUTIRIPAD (*Jenmies*): ലാ മെംബർ ഇവിടെ പ്രസ്താവിച്ച സംഗതികളെല്ലാം നല്ലവണ്ണം മനസ്സിലായി. ഇപ്പോൾ വാദപ്രതിവാദത്തിലിരിക്കുന്ന ബില്ലിനെപ്പററി സിലക്ട്കമ്മിററിയിൽ വച്ചു ഞങ്ങൾ ഭിന്നറിപ്പോർട്ടുസമർപ്പിച്ചിട്ടുണ്ട്. ഗവർമ്മെൻറ് ആ തത്വം സ്വീകരിച്ചുശേഷം അതു ജന്മികുടിയാന്മാരെ ബോദ്ധ്യപ്പെടുത്തി വേണ്ടഭേദഗതിയോടുകൂടി ഒരു ബിൽകൊണ്ടുവരുമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടിയാണ് സിലക്ട്കമ്മിററിയിൽവച്ച് ഇതിനെപ്പററി ആലോചിക്കാതിരുന്നിട്ടുള്ളതു്. ഗവൺമെൻറ് ആ തത്വം സ്വീകരിച്ചില്ലെങ്കിൽ ഇതുവരെചെയ്ത പ്രയത്നംകൊണ്ടും ഫലമില്ലാതെവരും. അതുകൊണ്ടു

[Mr. C. N. Tuppan Namputiripad.]

അനുവാദം കിട്ടിയശേഷം മാത്രമെ, എന്തെല്ലാംഭേദഗതികളാണ് ചെയ്യേണ്ടതു എന്നുള്ളതിനെപ്പററി അഭിപ്രായംപുറപ്പെടുവിക്കാൻ നിവൃത്തിയുള്ളു. അതിനെ അടിസ്ഥാനപ്പെടുത്തിയാണ് മൈനറിപ്പോർട്ട് സമർപ്പിച്ചിട്ടുള്ളതു്. ഇപ്പോൾപ്രസ്താവിച്ചതനുസരിച്ചുള്ള സമയത്തിനിടയ്ക്കു ബില്ലിനെപ്പററി നല്ലവണ്ണം മനസ്സിലാക്കിവേണ്ട അമെൻറുമെൻറുകൾ ഹാജരാക്കുന്നതിന് സമയംകിട്ടും. അങ്ങിനെ ഒരു ബിൽ വരുമ്പോൾ ഈ ബില്ലിൽ അടങ്ങിയിട്ടുള്ള അനേകം വകുപ്പുകളും ആവശ്യമില്ലാതെ വരികയും ഒരു പുതിയബില്ലായിതന്നെ തീരുകയുംചെയ്യും. ഭേദഗതി ബില്ലെന്നുള്ള ഒരു ധാരണമാത്രമെ ആ ബില്ലിനുണ്ടായിരിക്കുകയുള്ളു. ഇപ്പോഴത്തെ ബില്ലിൽ അമെൻറുമെൻറു കൊടുക്കുന്നതുകൊണ്ട് യാതൊരുഫലവും ഉണ്ടാകാനില്ല. ഗവർമ്മെൻറിൽനിന്നും കരംപിരിച്ചുതരുന്നതായാൽ ഈ ബില്ലിൽ ഇപ്പോഴുള്ളവകുപ്പുകൾ ആവശ്യമില്ല. ഇതിൽ തള്ളിക്കളയേണ്ടഭാഗങ്ങൾക്ക് അമെൻറുമെൻറ് കൊടുക്കേണ്ടിവരും. ഈഭാഗങ്ങൾ ഈ കൗൺസിലും ഗവർമ്മെൻറും നല്ലവണ്ണം പര്യാലോചിച്ച് ഈ തത്വത്തെ സ്വീകരിച്ചു അടുത്തകൗൺസിലിൽ തീരുമാനിക്കുന്നതുകൊണ്ട് വിരോധമില്ല. ജന്മിമാർ സ്വീകരിച്ചിട്ടുള്ള തത്വങ്ങൾ കുടിയാന്മാരുടെഭാഗത്തേക്ക് നഷ്ടംഉണ്ടാക്കുന്നവയാണെന്നു പറയുന്നുണ്ട്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): മാററിവക്കാമെന്നു പറയുന്നസ്ഥിതിക്ക് ഈവക സംഗതികൾ ഇപ്പോൾ പ്രസ്താവിക്കേണ്ട ആവശ്യമുണ്ടോ എന്ന് സംശയിക്കുന്നു.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): മാററിവയ്ക്കുമ്പോൾ ഈ ഭേദഗതികൾകൂടെ ചെയ്യണം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഈ സംഗതിയിൽ ഒരു തെററിദ്ധാരണയുണ്ടാകുമെന്നുള്ളതുകൊണ്ടു അതിനെപ്പററി പ്രത്യേകം പറഞ്ഞുകൊള്ളുന്നു. ഗവർമ്മെൻറ് ബില്ലു കൊണ്ടുവരും. അതിൽ അമെൻറുമെൻറിൻെറ ആവശ്യം ഉണ്ടെങ്കിൽ ആവശ്യമുള്ളവർ കൊണ്ടുവന്നുകൊള്ളണം. സെലക്ട്കമ്മററിക്ക് അയക്കണമെന്നുണ്ടെങ്കിൽ അപ്പോൾ പ്രമേയംകൊണ്ടുവന്നുകൊള്ളണം. ബിൽ അടുത്തബഡ്ജററ് സെഷനിൽകൊണ്ടുവരും. ഗവർമ്മെൻറിൽനിന്നും കരംപിരിക്കയാണെങ്കിൽ ഗവർമ്മെൻറിന് തോന്നുന്ന അമെൻറുമെൻറ് അപ്പോൾ കൊണ്ടുവരും. അതു് കൊണ്ടുവന്നില്ലെന്നുള്ളതിനെ ഒരു കാരണമാക്കി ബിൽ മാററിവയ്ക്കാൻപറയാൻ പാടില്ല. ഗവർമ്മെൻറ് അതിൽ ഉൾപ്പെടുകയുമില്ല. ഇതാണ് ഞാൻ പറഞ്ഞതു.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): ഗവണ്മെൻറ് അതിനുമുമ്പ് ഈ സംഗതിയെപ്പററി ഒരുതീരുമാനം പറയുമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അടുത്തസെഷനകം കരംപിരിവു് സംബന്ധിച്ചു് ഗവണ്മെൻറു ഒരു തീരുമാനം പറയും.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): അങ്ങനെ പറയുന്നതു് ഈ ബിൽ എടുക്കുന്നതിനു മുമ്പായിരിക്കുമൊ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതിന് മുമ്പായിരിക്കും.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ഗവണ്മെൻറ് ഈ ഭാഗങ്ങളെപ്പററി ഏറെറടുത്തു് പറയുന്നതിന് നിവൃത്തിയില്ല എന്നു പറയുന്നു; അതെന്താണു്?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vak.l*): ബിൽ ഹാജരാക്കിയാൽ വേണ്ട അമൻറുമെൻറുകൾകൊണ്ടുവരുന്നതിന് തയ്യാറായി ഇരുന്നുകൊള്ളണം. അതിനെതള്ളണമെന്നുണ്ടെങ്കിൽ അങ്ങനെ അമൻറുമെൻറു കൊണ്ടുവരണം. ഗവണ്മെൻറു ആവശ്യമുള്ള എല്ലാ അമൻറുമെൻറുകളും കൊണ്ടുവന്നുകൊള്ളും.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഈ ബിൽ ബഡ്ജററു് സെഷൻെറ ആദ്യദിവസങ്ങളിൽ വച്ചാൽകൊള്ളാം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): നിവൃത്തിയുള്ള പക്ഷം ആദ്യമായിതന്നെ കൊണ്ടുവരുന്നതാണു്. നിശ്ചയമായിപറയുന്നില്ല.

The motion that the debate be adjourned was put to the vote of the House and carried *nem con.*

The Council adjourned at 4-30 P. M.

P. VISVANATHA AIYAR,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

(*OFFICIAL REPORT.*)

Friday, the 22nd April, 1932/10th Medam, 1107.

The Council met in the Victoria Jubilee Town Hall at Eleven-thirty of the Clock, the President presiding.

The following members were absent:—

1. Mr. O. M. Thomas.
2. Mr. L. A. Bishop.

QUESTIONS AND ANSWERS.

Manual training work in the S. M. V. School.

152. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

(*a*) the number of periods of manual training work in the S. M. V. School, Trivandrum;

(*b*) the number of hands exclusively employed for manual training work in the S. M. V. School, Trivandrum; and

(*c*) the number of periods of work allotted according to the time-table to—

(i) a graduate teacher; and

(ii) an undergraduate teacher?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 70 periods.

(*b*) One graduate and two undergraduates.

(*c*) (i) 22 periods.

(ii) 24 periods.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know how many hours of work the graduate manual training teacher has to do?

MR. K. GEORGE (*Chief Secretary to Government*): Twenty-two periods.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know what is the ordinary amount of work done by an ordinary graduate teacher, one who is not a manual training teacher?

MR. K. GEORGE (*Chief Secretary to Government*): Twenty-five periods, I think.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know from the member what is the least number of periods for which either the graduate or the non-graduate manual training teachers in the S. M. V. School has to work?

G. P. T. 2264. 3800. 1-11-07. B
Vol. XX. No. 6.

MR. K. GEORGE (*Chief Secretary to Government*): I do not understand the member. It is stated in the answer that the graduate manual training teacher works for twenty-two periods and that the under-graduate teachers work for twenty-four periods.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): There are three teachers in the S. M. V. School, one graduate and two undergraduates, to teach manual training. May I know whether they work according to the rate specified in the answer?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether they actually work for these periods given in the answer?

MR. K. GEORGE (*Chief Secretary to Government*): I think so; I have no definite information on that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether Government will be pleased to furnish the information?

MR. K. GEORGE (*Chief Secretary to Government*): If the member desires, I will call for the information.

Opening of a market at Nilamel.

153. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*). Will the Government be pleased to state:

(*a*) whether applications for license to open a market at Nilamel near the Karuntalakodu travellers' bungalow was received by the Dewan Peishkar, Quilon;

(*b*) if so, whether sanction has been granted; and

(*c*) if not, the grounds on which that has been refused?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) An application from one Noohu Kunju Lebba Ahmad Kunju Lebba of Charuvila Puthen Veedu, Nilamel, was received by the Dewan Peishkar, Quilon, on the 6th Tulam 1106.

(*b*) The application was rejected.

(*c*) The site proposed for the market, *viz.*, Survey No. 233/18 of the Chadayamangalam pakuthi, was, on local inspection by the Dewan Peishkar, found to be just opposite the Nilamel Camp-shed, and thus in objectionable proximity to it. The application was rejected on the above ground.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): In regard to part (*c*), may I know whether Government have ascertained the distance between the camp-shed and the site applied for?

MR. K. GEORGE (*Chief Secretary to Government*): The answer furnished by the Dewan Peishkar is that it is just opposite the Nilamel camp-shed.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): The distance has not been given.

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether Government have made enquiries regarding the usefulness of this camp-shed?

MR. K. GEORGE (*Chief Secretary to Government*): No; that was not ascertained.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether that will be ascertained by the Government?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

Recruitment of Accountants of Pakuthi Cutcherries.

154. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): (1) Will the Government be pleased to state:

(*a*) whether lists of persons eligible for recuitment to the posts of Accountants of Pakuthi Cutcherries are kept in the Taluk Cutcherries; and

(*b*) whether the names in those lists are arranged according to the period of acting service put in by each, and, if not, the basis on which those names are arranged?

(2) Will they be pleased to lay on the table copies of the lists mentioned in part (1) (*a*) which are kept in the Kartikapalli, Mavelikara and Tiruvalla Taluk Cutcherries with the period of acting service of each of the persons?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (1) (*a*) The answer is in the affirmative.

(*b*) Names are arranged according to the date of first entertainment in some taluks and according to the period of acting service in others.

(2) Copies of the lists* mentioned in (1) (*a*) kept in the taluks of Kartikapalli, Mavelikara and Tiruvalla are laid on the table.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With reference to the answer to part 1 (*b*), may I know why different rules are applied by different taluks in the matter of arranging names?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): They are arranged according to the period of acting service.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Names are arranged according to the first entertainment in some taluks and according to the period of acting service in others. May I know why these two modes are adopted?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There has been no circular issued on the subject.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know at whose instance the list is kept?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): At the instance of the Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Have they not given any instruction as to the way in which it should be done?

---

* *Vide* Appendices I A, I B and I. C.—pages 433-435.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : No.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know the object of keeping these lists?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : To fill up permanent vacancies in the order of seniority among the acting hands.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether seniority is determined according to the date of first entertainment or according to the period of acting service?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : Both together are taken into account.

MR. A. S DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know why Government have not issued definite instructions to the effect that both, together, *must* be taken into consideration?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : Government will consider the question of issuing such instructions.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : It is said that in certain taluks, the date of first entertainment is taken into consideration and in other taluks the period of acting service is taken into consideration. With reference to the list for the Tiruvalla taluk given in Appendix I (C), may I know which is the principle adopted?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : In the Tiruvalla taluk, the acting Accountants who have furnished security are arranged according to the date of first entertainment.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will the member be pleased to speak a little louder? I could not hear.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The order in the list is according to the date of first entertainment; but, those who have not furnished security are arranged below those who have furnished security.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Am I to understand that certain Accountants have not furnished security as required by the rules?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : Some of the acting incumbents may not have furnished security.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know whether they were not informed that they should furnish security?

PRESIDENT : That does not arise out of your question.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Here in the Tiruvalla taluk No. 11, Mr. K. P. John, was entertained in service on 11-6-1106 and he has served for five months and nineteen days. The next person, No. 12, was entertained on 13-7-1096 and has served for one year, five months and seven days. May I know the particular reason for the former taking precedence over the latter?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I have already explained that. A man who is permanently entertained as Accountant has to furnish the full security, and one who is only acting, has to furnish half security.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*)): And has Mr. K. P. John furnished the full security?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): He must have furnished the security. The amount is given in the statement itself.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): And was it the fault of Mr. Paramesvaran Pillai that the security was not furnished?

PRESIDENT: That question does not arise.

Prohibition against the plying of buses on the Kayankulam-Nangiyarkulangara road.

155. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state whether the service buses on the Alleppey-Quilon line are not allowed to run on the Kayankulam-Nangiyarkulangara road, and, if so, the reason for the same?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No. The road in its present condition is fit only for light traffic, as the iron girder bridge at Kayankulam has been dismantled for reconstruction. The only bridge remaining is the old fish market bridge which is not fit for heavy bus traffic.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It is stated in the answer that the only bridge remaining is the old fish-market bridge which is not fit for *heavy-bus* traffic. Have the Government any objection in allowing *light-bus* traffic on the road?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The width of the bridge is so small that it will not allow sufficient space for bus traffic.—

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether the bridge could not be used even for light eight-seaters?

MR. A. KUMARA PILLAI (*Ag. Secreary to Government*): No, it is not possible.

Statement, by caste, of the Provertikars and Pakuthi Accountants in Kalkulam and Vilavankod taluks.

156. **MR. R. S. SUBRAHMANYA PILLAI** (*Kalkulam* cum *Vilavankod*): Will the Government be pleased to lay on the table:

(*a*) a statement, by caste, of the total number of Provertikars as well as of Pakuthi Accountants in the Kalkulam and Vilavankod taluks; and

(*b*) a statement of the total number of recruits to the posts, separately, from members of each community in each of the years from 1103-1106?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) and (*b*) Statements* containing the required particulars are laid on the table.

Royalties Committee.

157. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) what became of the Report of the Forest Committee regarding royalties; and

(*b*) the amount of expenditure incurred by the Government on account of this committee?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) The Committee's report was considered at a conference consisting of the Dewan, the Conservator of Forests and the Divisional Forest Officers. A G. O. will be issued shortly on the subject.

(*b*) The information is not available as separate accounts have not been maintained for the purpose.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): With regard to part (*a*), may I know when the report was submitted to Government?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The report was received some years back.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): The answer is vague.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Since the matter has been almost decided by Government, the exact date now asked for by the member is not now before me. I think it is five years since that report was received by Government.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know when the report was published?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I do not know the exact date of the publication. But it *has* been published.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether the Government keep a record of the date of publication.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I cannot say that.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know why?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Because, that information is not available.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the reason for the delay in passing the G. O. on the report?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): It is under consideration, and will be published soon.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the reason for the delay?

---

* *Vide* Appendices II A and II B—pages 436—438.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The matter has not been settled *finally*. The G. O. will be issued soon.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): In regard to part (*b*), may I know why a separate account has not been kept?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Because, it is not possible. It forms part of the duty of the Legislative Council.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether the Travancore Government have an Account Officer?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Yes; there *is* an Account Officer.

MR. K. NARAYANAPERUMAL NADAR (*Agatisvaram*): May I know why a separate account has not been kept in regard to this matter?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Government did not consider it necessary to keep separate accounts.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvvaram*): I could not hear the member.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Government did not consider it necessary to keep separate accounts.

Panachamood-Kochikkal and Valiaperumpuzha-Mannar roads.

158. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(*a*) whether the question of the construction of the Panachamood-Kochikkal and Valiaperumpuzha-Mannar roads was referred to the Chief Engineer as promised by the Dewan at the 27th session of the Sri Mulam Popular Assembly (*vide* page 208 of the Assembly Proceedings); and

(*b*) if the answer to part (*a*) is in the affirmative, whether any report has been received, and, if so, the recommendations contained therein?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) The answer is in the affirmative.

(*b*) The Chief Engineer has reported that, of the portion of the Panachamood-Kochikkal road which lies within the municipal limits of Mavelikara, about 41 chains alone require improvements and that the Municipality should undertake to contribute a moiety of its cost in case it is taken up. Accordingly, the matter was referred to the President, Municipal Council, Mavelikara, and he has replied that his Council has come to the conclusion that funds at present available do not permit the Municipality to meet the expenditure.

As regards the Valiaperumpuzha-Mannar road, the question of its construction has been abandoned on account of its heavy cost and in view of its close proximity to the Tiruvalla-Mavelikara road running parallel to it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With reference to part (*b*), may I know whether it is a general rule that,

[Mr. A. S. Damodaran Asan.]

when a road is constructed within the limits of a Municipality, the Municipality should contribute a moiety of the expenditure?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Because the road runs through the Municipality, Government have asked the Municipality to contribute a moiety of the expenditure.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether it is a general rule that when roads are to be opened within the municipal limits, the Municipality should contribute?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): There is no general rule like that now in force.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know the particular reason why the Mavelikara Municipality was asked to contribute a moiety?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The general principle is that the Muncipalities should contribute a portion of the expenditure incurred.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether that is the rule?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That is the general principle.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Has the Municipality recommended that, since they are unable to supply funds and since this is an important road, the Government should meet the whole expenditure to open the road?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I do not think they have made any such recommendation.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It is stated in the answer—

> "As regards the Valiaperumpuzha-Mannar road, the question of its construction has been abandoned on account of its heavy cost and in view of its close proximity to the Tiruvalla-Mavelikara road running parallel to it".

May I know whether Government will be pleased to give an estimate of the cost of the road?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Rs. 56,000. There is a bridge also.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If it is the heavy cost that stands in the way of the construction, may I know..................

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): There is no urgent necessity for that road, because there is another road parallel to it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) Two reasons have been given in the answer. With regard to the first reason I am asking whether, if the road is found to be not very costly, the Government would consider the question of opening it?

PRESIDENT: That is not your interpellation.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): The answer says that one reason for abandoning the road is that it entails heavy cost.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): It costs Rs. 56,000.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know the distance of the Tiruvalla-Mavelikara road from the Valiaperumpuzha-Mannar road?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): It is about three miles, I think.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Do the Government consider that a road three miles away is in close proximity?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I am not sure whether it is exactly three miles. Accurate information in regard to the actual distance is not now before me. All that I can say is that it is in close proximity.

Coercive steps for realisation of land tax in Muvattupuzha and Todupuzha taluks.

159. **MR. K. P. ABRAHAM** (*Muvattupuzha cum Todupuzha*): (1) Are the Government aware of any coercive steps taken in the Muvattupuzha and Todupuzha taluks for the realisation of land revenue subsequent to their order R. O. C. No. 2764/31/Revenue, dated the 14th July 1931?

(2) Will they be pleased to state:

(*a*) the least amount of arrears of land tax for which coercive steps were taken in 1106 against a tax-payer —

(i) in the Muvattupuzha taluk; and

(ii) in the Todupuzha taluk; and

(*b*) the total annual tax payable by the said tax-payer of (i) Muvattupuzha, and (ii) Todupuzha?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (1) The answer is in the negative.

(2) (*a*) (i) 3 cash.

(ii) 8 chs. 12 cash.

(*b*) 3 cash in the Muvattupuzha taluk and 8 chs. 12 cash in the Todupuzha taluk.

MR. K. P. ABRAHAM (*Muvattupuzha cum Thodupuzha*): With regard to part (2) (*a*) (i) may I know the nature of the steps taken?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The information is not available.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*): May I know whether the Government had to incur any expenditure on that account?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): That too I am not in a position to state now.

Inadequacy of staff in the District Hospital, Vaikom.

160. **MR. A. NARAYANA PILLAI** (*Vaikom*): Will the Government be pleased to state:

(*a*) whether any demand was made for the appointment of additional hands in the Vaikom District Hospital;

(*b*) whether other hospitals with lesser number of patients are provided with larger staff; and

(*c*) whether they are aware that it is a usual practice to depute the only Sub-Assistant Surgeon at Vaikom to other dispensaries on temporary duty?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) No.

(*b*) No; adequate staff is provided in every hospital with reference to the number of patients treated, which is not, however, a constant figure.

(*c*) Sending Hospital Assistants on temporary relief duty is inevitable and it is not a special feature of the District Hospital at Vaikom. Officers for relief duties are generally selected from adjoining institutions without consideration of the number under treatment there.

Percentage of defaulters among the pattadars in 1106.

161. **MR. K. MADHAVAN PILLAI** (*Trivandrum cum Neduvangad*): Will the Government be pleased to state the percentage of the number of defaulters to the total number of pattadars in each of the Revenue Divisions of the State in the year 1106?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The required particulars are given below:—

Division.		*Percentage of the number of defaulters to the number of pattadars.*
Trivandrum	...	32
Quilon	...	19
Kottayam	...	29
Devicolam	...	22

Grant of agricultural loans in the Tovala taluk in the latter half of 1106.

162. **MR. N. A. SUNDARAM PILLAI** (*Tovala*): Will the Government be pleased to state the amount allotted for agricultural loans in the Tovala taluk for the latter half of the year 1106, the number of applicants for such loans and the amount of loans disbursed during that period?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The amount under agricultural loans is allotted for a full year and not for half years. The amount allotted for agricultural loans in the Tovala taluk is Rs. 7062-14-0 made up of Rs. 3562-14-0 for ordinary loans and Rs. 3,500 for small loans of Rs. 200 and below. The number of applications for the second half of 1106 was 16, one for an ordinary loan and 15 for sums of Rs. 200 and below. Of the amount allotted, Rs. 3562-14-0 under ordinary loans and Rs. 712-14-0 under small loans were disbursed during that half year.

Passes applied for and issued for collecting green leaf manure from the forests in the Tovala taluk in 1106.

163. **MR. N. A. SUNDARAM PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) the number of free passes applied for and issued for collecting head-loads of green leaf manure from the forests in the Tovala taluk in 1106;

(*b*) the number of passes applied for and issued for collecting cart-loads of green leaf manure from the forests in the Tovala taluk in 1106; and

(*c*) the amount realised by way of fees for the same in the year 1106?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) 2

(*b*) Nil.

(*c*) Nil.

Sale of agricultural implements from the Forest depots in the Tovala taluk.

164. **MR. N. A. SUNDARAM PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) the amount realised from the sale of agricultural implements kept in Forest depots in the Tovala taluk in the year 1106; and

(*b*) the amount the Government got by way of profits in the year 1106 from the sale of those agricultural implements?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) S. Rs. 32-10-0 by sale at cost price.

(*b*) The implements were sold at cost price and therefore there was no profit.

Payment of kudivila on teak logs removed from certain lands in the Ponmana pakuthi.

165. **MR. N. A. SUNDARAM PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) the date on which the teak logs from Survey Numbers 2992, 2993 and 2994 of the Ponmana pakuthi were removed and sold;

(*b*) if they were already sold, why the *kudivila* amounts have not been paid as yet (30-11-1931);

(*c*) whether it is a fact that, of the owners of the above mentioned Survey Numbers, the owner of Survey Number 2992 alone, whose logs have been removed and sold at the same time of the same year along with those of the other owners, has been paid off the *kudivila* amount completely; and

(*d*) if the answer to part (*c*) is in the affirmative, the reason for this preferential treatment?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*):

(a) Survey No.	Date of removal,	Date of sale.
2992 A	11-11-01 to 32-12-01.	17-12-01 to 21-7-102.
2993	22-11-01 to 22-12-01.	30-11-01 to 31-12-01.
2994	27-11-01 to 22-12-01.	30-11-01 to 31-12-01.

(*b*) The logs from Survey No. 2992 A were sold and *kudivila* also paid. In the case of those from Survey No. 2993, the necessary records to substantiate the applicant's claim were produced by the party only recently and the claim is being settled. In the case of Survey No. 2994, the party has not yet produced the records called for so far back as 10-5-1103 to establish his claim and without those records the claim cannot be settled.

(*c*) Yes.

(*d*) No preferential treatment was given to any one [*vide* reply to part (*b*) above.]

Conversion of the poramboke pathway between the Manavalakurichi market and the Periakulam ela into a cart road.

166. MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether there was any requisition from the agriculturists of Manavalakuruchi and its suburbs that the *poramboke* pathway between the Manavalakuruchi evening fish market and Periakulam *ela* should be converted into a cart road:

(*b*) the extent, in acres, of wet lands in the said *ela*; and

(*c*) whether they are aware that the agriculturists are put to much inconvenience because the said pathway is full of ruts and deep oles?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) No.

(*b*) The wet *ayacut* in the Periakulam *ela* is about 700 acres.

(*c*) No. An enquiry will, however, be made into the matter.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): With regard to part (*b*), may I know whether Government are aware of the fact that the road between the Manavalakurichi fish market and the Periakulam *ela* has been a long-standing grievance?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*). Government are not aware of that.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know when an enquiry will be made into the matter?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): It will be made very soon.

Krishnanputur kal in Agastisvaram taluk.

167. MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Will the Government be pleased to state:

(*a*) the year in which the Krishnanputur *kal* was opened :

(*b*) the area of land brought under cultivation ;

(*c*) the area of land commanded by the *kal* ;

(*d*) whether there were petitions from the people of Osaravila, Krishnanputur, Nainavur, Elantavila, and other places praying that the *kal* should be extended as far as Puttallom village ;

(*e*) the length of the *kal* ;

(*f*) if the answer to part (*d*) is in the affirmative, the action taken by them thereon ;

(*g*) whether there were any petitions in 1105 and 1106 stating that the *kal* water was not equitably distributed ;

(*h*) the number of sluices in the *kal* ;

(*i*) the amounts sanctioned for the maintenance of the *kal* in the Budgets for 1103. 1104, 1105 and 1106 ;

(*j*) the amounts actually spent in each of those years ;

(*k*) the name of the reservoir or *kulam* out of which the *kal* is fed ;

(*l*) the approximate volume of the reservoir ;

(*m*) whether there is any outlet to the reservoir ; and

(*n*) the average volume of water that flows out daily through the outlet ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : (*a*) The *kal* was opened in the year 1101 M. E.

(*b*) 148·54 acres of old wet lands and 128·35 acres of dry lands converted into wet lands.

(*c*) About 400 acres.

(*d*) Yes.

(*e*) The opened length is 5½ miles.

(*f*) Government have received an estimate from the Chief Engineer for extending the *kal* and have ordered that statements should be obtained from the owners of the lands covered by the proposed extension agreeing to surrender them without compensation.

(*g*) Yes, there have been complaints.

(*h*) 9.

(*i*) and (*j*) A statement * showing the details is laid on the table.

(*k*) Champakulam.

(*l*) 53·1 acre-feet.

(*m*) Yes.

(*n*) About 5 cusecs.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) With regard to part (*n*), may I know from the Government whether this volume of water is injurious to nearly one thousand cocoanut palms ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) Government have absolutely no information.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : May I know whether any steps are taken to prevent this out-flow of water ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : Government have no information on that point too.

---

* *Vide* Appendix III—page 439.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether the Government are aware that there is scarcity of drinking water in the said villages?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That does not arise from the answer given.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know from the Government whether the people of the said villages have started a no-tax campaign for not extending this canal?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): This too does not arise from the answer given to the interpellation

Opening of a dispensary at Kottappadi.

168. MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether they have received any application praying for the establishment of a dispensary at Kottappadi in the Muvattupuzha taluk;

(*b*) if so, whether any action was taken on that application;

(*c*) whether a dispensary started at Kuruppampadi has been abolished;

(*d*) the distance from Kottappadi to (i) Kuruppampadi, and (ii) Perumpavur dispensary;

(*e*) the daily average number of out-patients who attend the Perumbavur dispensary; and

(*f*) Whether a dispensary at Kottappadi will reduce the number of out patients who attend the Perumbavur dispensary?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) No.

(*b*) In view of the answer to part (*a*), this does not arise.

(*c*) Yes.

(*d*) The distance from Kottappdi to Kuruppampadi is 4½ miles and from Kottappadi to Perumbavur dispensary 7½ miles.

(*e*) 257·47 for 1106.

(*f*) Not likely, if it is only an evening dispensary.

Silting up of the Manakudi lake.

169. MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*); Will the Government be pleased to state:

(*a*) whether they are aware that the Manakudi lake near Tamaracolam is being gradually silted up and that its bed-level is gradually raising;

(*b*) whether there was any proposal before the Government to prevent the silting up of the lake by periodical clearance of the silt,

(*c*) whether they have taken any action in the matter; and

(*d*) if not, whether the Government will examine the question?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Silt coming down the Pazhayar is being deposited above and below the bottle neck and some shoaling is observed there, but no observations have been made to see whether the bed of the lake below is actually rising.

(*b*) No.

(*c*) and (*d*) An estimate for removing the silt at the bottle neck portion of the Pazhayar has been sanctioned by the Government, the member is going out of the way. This does not form part of his question

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : With reference to the answer to part (*a*), may I know whether the bed-level of the lake is not rising ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : Government have no information about that. Information is available now only about that bottle neck.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : Am I to understand that the depositing of silt brought down the river does not raise the level ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : It may raise the level.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : With reference to the answers to parts (*c*) and (*d*), may I know when the estimate was prepared ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : The date is not available now.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : May I know when the Government will take up that work ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : As soon as funds are available for that.

Registry of lands in Kottarakara in the name of Mr. C. M. Korah.

170. **MR. E. V. KRISHNA PILLAI** (*Kottarakara* cum *Kunnattur*) : Will the Government be pleased to state :

(*a*) whether the registry of certain lands in Kottarakara in the name of Mr. C. M. Korah who was the Stationary Magistrate there and also in the names of his relations has been cancelled by the authorities concerned ;

(*b*) if so, why it has been so done ;

(*c*) whether Mr. Korah has applied again for the registry of such lands ; and

(*d*) the orders passed by the Government on such application ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : (*a*) The answer is in the affirmative.

(*b*) As certain material irregularites were observed in the disposal of the *Puduval* cases.

(*c*) The answer is in the negative.

(*d*) This does not arise, in view of the answer to part (*c*).

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : In regard to part (*b*), may I know the names of officers on whose part irregularities were detected ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : Mr. C. M. Korah alone.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : So, the cancellation of the registry in the name of Mr. Korah is the punishment awarded to him for the irregularity on his part. Am I to understand the member like that ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The irregularity was on the part of Mr. T. A. Thomas.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): What was he then?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Tahsildar, Kottarakara.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know whether any action was taken against that officer for the irregularity?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The registry was cancelled.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know why no action was taken against the Tahsildar of Kottarakara for the irregularities in the registry in the name of his brother officer?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No particular action was taken.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know whether the Government have come to know of any circumstances under which they could conclude that Mr. Korah was a party to any of these irregularities?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I claim notice.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know the extent of the registry?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I claim notice to that also.

Water-logging in the Parakkai village.

171. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*). Will the Government be pleased to state:

(*a*) whether provision was made in the P. W. D. Budgets for the years 1104, 1105 and 1106 for works for preventing water logging in the Parakkai village;

(*b*) if the answer to part (*a*) is in the affirmative, the amount provided in each of the above-said years;

(*c*) the amount spent during these years;

(*d*) the reasons for not spending the whole amount;

(*e*) whether there is provision for the work in the current (1107) year's Budget;

(*f*) if the answer to part (*e*) is in the affirmative, the amount spent so far (15-4-1107):

(*g*) whether it is a fact that, with a view to prevent water-logging in the Parakkai village, the Chief Engineer recommended the acquisition of certain paddy lands the owners of which did not agree to stop wet cultivation:

(*h*) whether the declaration for the acquisition was actually published in the *Government Gazette*; and

(*i*) whether it has been held in abeyance subsequently ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Provision was made only in the years 1105 and 1106.

(*b*) Rs. 1,000 each year.

(*c*) Rs. 199 in 1105 and Rs. 435 in 1106.

(*d*) The work was sanctioned only towards the end of 1105 and hence only Rs. 199 was spent. In 1106 the necessary works were done leaving only the construction of a culvert and these works costed only Rs. 435.

(*e*) Yes. Rs. 300 has been provided for further works considered necessary.

(*f*) No amount was spent till 15-4-1107.

(*g*) and (*h*) The answers are in the affirmative.

(*i*) Yes, because most of the owners agreed to give up wet cultivation except the owner of only one Survey Number and the acquisition of this land has been temporarily given up till the effect of non-cultivation on all the other lands is watched.

Concessions to the salt licensees of Tamaracolam.

172. **MR. M. GOVINDAN** (*Nominated*): (1) Will the Government be pleased to lay on the table a list of salt licensees in Tamaracolam whose salt reserved for delivery to Government was washed away by the floods in 1101 showing the quantity against each licensee ?

(2) Will the Government be pleased to state:

(*a*) whether any concession was given to such licensees;

(*b*) if so, what;

(*c*) whether the licensees have applied for remission;

(*d*) if so, how many;

(*e*) whether remission was given to a company called the Cape Comorin General Traffic Company, Ltd.;

(*f*) if so, the amount in respect of which remission was granted;

(*g*) the reason for granting the concession;

(*h*) whether remission was granted to the other applicants; and

(*i*) if not, the reason for not granting them the concession ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (1) The list* required is placed on the table.

(2) (*a*) Yes.

(*b*) (i) Extension of time to the licensees of the B, C, and D schedules of the Avadhanial's Factory for the payment of the dues for 1102 to 1104 *viz.*, 75,000 maunds of salt in instalments of 12,500 maunds from 1105 onwards, along with current dues.

(ii) Extension of time to the licensees of the A, E, F, and G Schedules of the Avadhanial's Factory for the payment of arrears of 23,746 maunds of salt prior to 1102 in four instalments from 1103 onwards.

(iii) Extension of time to the licensees of S. M. G. N. Allom for the payment of the arrears of 44,529 maunds prior to 1102 in four instalments from 1103 onwards.

---

* *Vide* Appendix IV—page 439.

[Mr. A. Kumara Pillai.]

(iv) Extension of time to the licensee of S. M. K. M. Allom for the payment of the arrears of 32,339 maunds prior to 1102 in four instalments from 1103 onwards.

(v) Extension of time to the C. C. G. T. Company for the payment of 96,000 maunds out of the manufacture of 1102 to 1104 in instalments of 20,000 maunds from 1105 onwards along with current dues.

(*c*) Yes.

(*d*) The licensees who suffered loss in the floods of 1101 numbering 13.

(*e*) Yes.

(*f*) 69,772 maunds.

(*g*) The C. C. G. T. Company suffered heavy loss in the floods of 1098 and 1101 and the yield in the factory since the flood of 1098 was so poor that it was not even sufficient for the payment of Government dues. Hence the arrears accumulated. The company was therefore working at a loss and the share-holders got no dividend for a long time. The factory still labours under several disadvantages, scarcity of brine being the most serious one. If the whole quantity manufactured is taken over by Government each year towards Government dues, the company may not be able to meet the current expenses for manufacture and the factory may have to be closed. For the above reasons, some help was considered necessary and remission was granted in respect of arrears prior to 1102 due from the company.

(*h*) No.

(*i*) The loss of salt and the damage to the factories were due to the licensees' failure to raise their bunds and platforms. These factories were granted extension of time for payment of the arrears prior to 1102 in view of the loss of salt sustained by them in the floods of 1101. The yield since 1101 in these factories was very satisfactory and the licensees had at their disposal a larger quantity of salt for private sale. Their condition, therefore, did not call for any help from Government.

MR. M. GOVINDAN (*Nominated*): With reference to part (*e*), may I know whether that involves a complete loss to Government without the prospect of any recovery at all?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Yes; it involves a loss to Government.

MR. M. GOVINDAN (*Nominated*): With regard to part (*f*), "69,772 maunds", what does that work out at in money value?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Government have no accurate information about that point; it may be about a lakh of rupees odd.

MR. M. GOVINDAN (*Nominated*): When was this remission given?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): In 1931, *i. e.* last year.

MR. M. GOVINDAN (*Nominated*): When there was economic depression in the State and when we were trying our level best to make money for the Government, what was it that induced Government to make a remission of such a large sum, as one lakh of rupees odd, in favour of one company?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): To foster the salt industry of the State; that was the main object of the Government in allowing that remission.

MR. M. GOVINDAN (*Nominated*): But, there were thirteen other licensees who applied for remission; they were not granted any remission.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The reason is given in the answer itself.

MR. M. GOVINDAN (*Nominated*): The reason given in answer (*g*) is this;

> "If the whole quantity manufactured is taken over by Government each year towards Government dues, the company may not be able to meet the current expenses for manufacture, and the factory may have to be closed."

May I know whether the extension of time for payment in easy instalments hereafter, would not have served the purpose which the Government had in view?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The Excise Commissioner reported that it would not be possible for the company to recoup that loss even if extension of time was given.

MR. M. GOVINDAN (*Nominated*): If a loan had been given to the company, would it not have been easy for the company to work the salt pans and to pay the Government dues in easy instalments?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The company did not apply for a lease.

PRESIDENT: That is not a supplementary question, Mr. Govindan.

MR. M. GOVINDAN (*Nominated*): With reference to part (*i*) *viz.*, "the loss of salt and the damage to the factories were due to the licensees' failure to raise their bunds and platforms," does it not apply to this licensee also, the licensee who has been granted the remission?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That information is not available. If the member wants, Government will get it.

MR. M. GOVINDAN (*Nominated*): I would like to get that information.

Filling the vacancy of the Director of Ayurveda.

173. **MR. K. KRISHNAN NAYAR** (*Pattanamtittta*): Will the Government be pleased to state:

(*a*) whether there is any special reason for the existing in charge arrangement in the Ayurveda Department being continued for more than three years;

[Mr. K. Krishnan Nayar.]

(b) whether there is any precedent for such an arrangement being made for so long a period regarding the control and headship of a Department;

(c) whether the present Inspector of Vaidyasalas is a Gazetted Officer;

(d) if not, how he was permitted to be in charge of a Department; and

(e) whether it is allowable under the rules to permit a non-Gazetted Officer to draw bills or countersign them as in this instance?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (a) There was no special reason; the arrangement was made only as a temporary measure as the Director was on leave. Subsequently, the question of an Advisory Board was considered, but the idea was dropped. There is no charge arrangement now.

(b) The answer is in the negative.

(c) The Inspector has since been made a Gazetted Officer.

(d) The member is referred to the answer to part (a).

(e) A non-Gazetted Officer is not ordinarily permitted to draw bills or countersign them; but when he is in charge of the duties of the Head of a Department—a gazetted appointment—he can draw or countersign bills.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): With regard to part (e) may I know whether it is not opposed to the provisions of the *Travancore Service Regulation* to allow a non-gazetted officer to draw bills or to countersign them?

MR. P. VISVANATHA AIYAR (*Ag. Secreatry to Government*): The answer is given in part (e) itself.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): May I know whether it is not opposed to the provisions of the *Account Code*?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): In rare cases it *is* allowed.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Is it allowable under the Code?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes; it is allowable.

Motor bus collision on the Muvattupuzha-Todupuzha road.

174. **MR. K. P. ABRAHAM** (*Muvattupuzha cum Todupuzha*): (1) Are the Government aware:

(a) that the Muvattupuzha-Todupuzha road is one of regular motor bus service;

(b) that the said road is only about 11 feet wide at the 6th furlong of the 9th milestone; and

(c) that on that spot there was a motor collision on the 2nd Makaram 1105 which resulted in the death of one person and which formed the subject matter of Sessions cases Nos. 3 and 4 of 1107 in the Parur Sessions Court?

(2) Will the Government be pleased to state :

(*a*) the least width required for a road to enable two buses running in opposite directions to pass each other ; and

(*b*) whether they have taken any steps for improving the condition of the Muvattupuzha-Todupuzha road after the 2nd Makaram 1105 ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : (1) (*a*) The answer is in the affirmative.

(*b*) The road at the place of accident was only 11 feet wide but the accident took place at the 4th furlong of the 8th mile and not at the 6th furlong.

(*c*) The Chief Engineer says that an extract from the judgment in Sessions case No. 3 on 1107 on the file of the Parur Sessions Court was forwarded to him by the Commissioner of Police and that the latter also suggested the desirability of widening the portion of the road where the accident took place.

(2) (*a*) 15 feet.

(*b*) The Chief Engineer reports that the site has since been widened and that the top width is now 18 feet.

The Periyar Dam.

175. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*) : Will the Government be pleased to state :

(*a*) when the Periyar Dam was constructed ;

(*b*) whether there was any guarantee as to its stability ;

(*c*) if there was one, for how many years it was guaranteed ; and

(*d*) whether any arrangement is made for testing its stability from time to time ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : (*a*) In the year 1895.

(*b*) and (*c*) The Periyar Dam is a gravity dam ; and provided there is no physical change in the materials of its construction or in its foundations, the Dam should remain stable for ever.

(*d*) It is known that the Madras Government have the question of its stability under active observation and have only recently carried out extensive grouting operations to replace with Portland cement the lime contents of the mortar in the Dam which may have been washed out by leakage since the date of its construction.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : With regard to the answer to part (*d*), may I know whether our Government has anything to do with the inspection of the dam ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : This Government has nothing to do with the inspection of of the dam except writing to the British Government.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Have we no right even to inspect the condition of the dam ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No, we have no right.

Report on the loss of a Sanskrit grandham from the office of the Curator for the publication of Oriental Manuscripts.

176 **MR. RAMA VARMA RAJA** (*Edavagai*): With reference to the answer to part (*b*) of question No. 329, published at page 1034 of Vol. XV of the *Council Proceedings, viz.*, "the Curator has not submitted a report even though he was asked to submit one on the 6th June 1928", will the Government be pleased to state:

(*a*) whether he has since submitted a report; and

(*b*) if he has, whether they will lay it on the table?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The answer is in the affirmative.

(*b*) The answer is in the negative.

MR. RAMA VARMA RAJA (*Edavagai*): ഈ റിപ്പോർട്ട് എന്നാണ് കിട്ടിയതു്?

MR. K. GEORGE (*Chief Secretary to Government*): ൧൯൨൯ സെപ്റ്റംബർ ൨ ൭-ാംനു-യാണ്.

MR. RAMA VARMA RAJA (*Edavagai*): ൧൯൨൮ ജൂൺ ൬-ാംനു-യാണ് റിപ്പോർട്ടയക്കണമെന്നു അദ്ദേഹത്തിനോട് ആവശ്യപ്പെട്ടതു്?

MR. K. GEORGE (*Chief Secretary to Government*): അതെ, ൧൯൨൯ സെപ്റ്റംബർ ൨൭-ാംനു-യാണ് റിപ്പോർട്ട് വന്നതു്.

MR. RAMA VARMA RAJA (*Edavagai*): ഈ കാലതാമസം വരാനുള്ള കാരണമെന്താണ്?

MR. K. GEORGE (*Chief Secretary to Government*): കുറെ എൻക്വയറി നടത്തി റിപ്പോർട്ടു ചെയ്യേണ്ടതായിട്ടുണ്ടായിരുന്നു.

MR. RAMA VARMA RAJA (*Edavagai*): ചില മാനുസ്ക്രിപ്ട്സ് കളഞ്ഞുപോയി എന്നു പറയുന്നു. ആ മാനുസ്ക്രിപ്ട്സിന്റെ നേച്ചർ എന്താണ്?

MR. K. GEORGE (*Chief Secretary to Government*): രജിസ്റ്റർ ബുക്കിൽ കൊള്ളിച്ചിട്ടുള്ളതിൽ രണ്ടു മൂന്നു മാനുസ്ക്രിപ്ട്സ് അതിന്റെ ഉടമസ്ഥന്മാൎക്കു തിരിച്ചു അയച്ചുകൊടുത്തിട്ടുള്ളതായി തെളിവുകളൊന്നും കാണുന്നില്ല.

MR. RAMA VARMA RAJA (*Edavagai*): പലരുടെയും അടുക്കൽനിന്നും വാങ്ങിയിട്ടുള്ളതാണോ കളഞ്ഞുപോയതു്?

MR. K. GEORGE (*Chief Secretary to Government*): ചിലതു് അങ്ങനെയുള്ളവയാണ്.

MR. RAMA VARMA RAJA (*Edavagai*): ഗവണ്മെൻറിൽനിന്നും വാങ്ങിച്ചുവച്ചിരിക്കുന്ന ഗ്രന്ഥങ്ങൾ കളഞ്ഞ ആഫീസരുടെമേൽ ഗവണ്മെൻറു എന്തു നടപടി നടത്തി?

MR. K. GEORGE (*Chief Secretary to Government*): വിശേഷാൽനടപടി ഒന്നും നടത്തിയില്ല; അതു റിക്കാർഡുചെയ്തു.

MR. RAMA VARMA RAJA (*Edavagai*): മററുള്ളവരുടെ സാമാനം വാങ്ങി അതു തിരിച്ചു കൊടുക്കാതെ കളഞ്ഞ ഉദ്യോഗസ്ഥൻെറമേൽ ഗവണ്മെൻറു ഒരു നടപടിയും നടത്തിയില്ലേ?

MR. K. GEORGE (*Chief Secretary to Government*): ആരാണ് ഉത്തരവാദി എന്നുള്ളതിനു തെളിവില്ലായിരുന്നു.

MR. RAMA VARMA RAJA (*Edavagai*): എൻക്വയറി നടത്തി തെളിവുവാങ്ങിയില്ലേ?

MR. K. GEORGE (*Chief Secretary to Government*): ഇല്ല; ഒരു റിട്ടയാർഡ് ആഫീസർക്കുകൂടി ചുമതലക്കാരനായതുകൊണ്ടു വേണ്ടെന്നുവച്ചു.

MR. RAMA VARMA RAJA (*Edavagai*): ഈ നഷ്ടം റിക്കപ്പുചെയ്യണമെന്നു വിചാരിക്കുന്നുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): അതിനെപ്പററി ആരും എഴുതി അയച്ചില്ല.

MR. RAMA VARMA RAJA (*Edavagai*): എഴുതിഅയക്കുന്നതായാലൊ?

MR. K. GEORGE (*Chief Secretary to Government*): അപ്പോൾ ആലോചിക്കാം.

Functions of Sir C. P. Ramaswami Aiyar.

177. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) the functions of Sir C. P. Ramaswami Aiyar as Legal and Constitutional Adviser; and

(*b*) who was discharging these functions prior to Sir C. P. Ramaswamy Aiyar's appointment as adviser?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) To tender advice to His Highness the Maha Raja concerning the political and constitutional questions confronting the State at the present moment, particularly with reference to its future relations with British India and other Indian States.

(*b*) The need for such an adviser arose only recently. Before the appointment no one exclusively was attending to these functions.

MR. A. THANU PILLAI (*Trivandrum*): May I know who is responsible for tendering advice to His Highness the Maha Raja on legal and constitutional questions at present? Is it the Dewan or Sir C. P. Ramaswami Aiyar?

PRESIDENT : That question does not arise.

MR. A. THANU PILLAI (*Trivandrum*) : Sir, my question was:

> "Who was discharging these functions prior to Sir C. P. Ramaswami Aiyar's appointment as Adviser ?" The answer is "The need for such an Adviser arose only recently. Before the appointment no one exclusively was attending to these functions."

I never asked the question who *exclusively attended* to these functions. I merely wanted to know who was attending, previously, to these functions.

MR. K. GEORGE (*Chief Secretary to Government*) : The Dewan was attending to these functions so far as he could.

MR. A. THANU PILLAI (*Trivandrum*) . It is stated in the answer that the need for such an Adviser arose only recently. May I know why the need arose only recently ?

MR. K. GEORGE (*Chief Secretary to Government*) : Because of the various political changes that are now in contemplation in British India.

MR. A. THANU PILLAI (*Trivandrum*): Those questions came into contemplation in British India long before the appointment of Sir C. P. Ramaswami Aiyar here.

MR. K. GEORGE (*Chief Secretary to Government*) : Not very long before the appointment.

MR. A. THANU PILLAI (*Trivandrum*): The Round Table Conference was held long before that.

PRESIDENT: You can only ask a question ; you cannot argue.

MR. K. GEORGE (*Chief Secretary to Government*); The question of our relationship with the rest of India came into prominence only recently.

MR. A. THANU PILLAI (*Trivandrum*) : May I know how long this appointment is to continue ?

MR. K. GEORGE (*Chief Secretary to Government*) : That question has not yet been decided.

MR. A. THANU PILLAI (*Trivandrum*) : May I know whether Sir C. P. Ramaswami Aiyar is a full-time officer or is it only a professional engagement ?

MR. K. GEORGE (*Chief Secretary to Government*): I am not in a position to answer that.

MR. A. THANU PILLAI (*Trivandrum*) : Sir, the Chief Secretary must be in a position to tell the House whether Sir Ramaswami Aiyar is a full-time officer or not. That arises out of my question. That is a very simple matter. Am I to take it that the Chief Secretary does not know, or that the answer cannot be given?

MR. K. GEORGE (*Chief Secretary to Government*) : He is not a full-time officer under the Government.

Grant of leave to Mr. M. O. Oommen, Divisional Forest Officer, Quilon.

178. **MR. A. THANU PILLAI** (*Trivandrum*): With reference to the statement made in the Legislative Council in the last Budget session on behalf of the Government, that Mr. M. O. Oommen, Divisional Forest Officer, Quilon, would be asked to take leave, will they be pleased to state:

(*a*) whether Mr. Oommen has taken leave; and

(*b*) if the answer to part (*a*) is in the negative, why he has not taken leave?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) No.

(*b*) Mr. Oommen did not take leave as he was subject to asthma only during the dewy season and not during the rainy season. It is further reported that he had a complete course of injection for asthma at Madras during the last Christmas holidays and that he is quite free from the disease now.

MR. A. THANU PILLAI (*Trivandrum*): In the answer it is stated that Mr. Oommen had a complete course of injection for asthma, at Madras, during the last Christmas holidays, that he is quite free from the disease now and that he is subject to asthma only during the dewy season and not during the rainy season. The Conservator has told us in the last Budget session that he had asked Mr. Oommen to take leave from the commencement of this year. Now, the answer is that he is subject to the disease only during the dewy season and not in the rainy season. Can the present statement be reconciled with the statement made by Conservator of Forests in Adi last?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Government will ask the Conservator about that again.

Leave to Mr. M. O. Oommen, Divisional Forest Officer, Quilon.

179. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

(*a*) whether it is a fact that Mr. M. O. Oommen still (16-4-1107) continues to be the Divisional Forest Officer, Quilon; and

(*b*) whether the Conservator of Forests required him to go on leave?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) The Conservator advised Mr. Oommen to go on leave for some time to recoup his health.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With reference to part (*b*), may I know whether, *asking* the Divisional Forest Officer to take leave is the same, according to Government, as *advising* him to take eave?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The Conservator of Forests advised Mr. Oommen to take leave, personally as well as in writing.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I refer the member to the answer given by the Conservator to a question put by Mr. Thanu Pillai? I may refer to the *Legislative Council Proceedingss*, Vol. XIX, No. 9, page 626. Mr. Thanu Pillai has stated:

> "We do not want the explanation from the Conservator. The officer should have been asked to take leave."

In answer to that, Mr. Dhanukoti Pillai has said:

> "Yes; he has been *asked* to take leave as soon as the current year is over."

Also, towards the end of the discussion when the question was about to be put to vote, the Deputy President has stated:

> "He said that he has been *asked* to take leave and that the other questson would be enquired into."

May I point out to Government that the motion was withdrawn on the specific understanding that Mr. Oommen, who had been admittedly guilty of dereliction of duty, would be *asked* to take leave?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The Conservator *asked* Mr. Oommen to take leave; but Mr. Oommen did not apply for leave, as directed by the Conservator, because his health had improved by that time. There was no necessity for him to take leave then.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know when the Conservator asked him to take leave?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): It was subsequent to the discussion during the last Budget session.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I again refer the member to the answer of the Conservator in which he says that he had *already asked* Mr. Oommen to take leave?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Mr. Oommen had been asked to take leave also before the discussion here.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the Conservator was satisfied with the statement by the Divisional Forest Officer that he was quite all right?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I have no objection to the member drawing that inference.

MR. K KUNJUKRISHNA PILLAI (*Quilon*): May I know whether they asked for medical certificate?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): There is no record to show that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether he was asked to go before the Medical Board?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the Conservator is satisfied that the Divisional Forest Officer is doing his touring and other work properly now?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The Conservator says that there is slight improvement in his touring work now.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know what is the degree of improvement snggested?

PRESIDENT: That is going beyond the question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): It is quite relevant Sir, because the member says that there is slight improvement now in the work of Mr. Oommen.

PRESIDENT: Your last question goes far beyond the main question.

Recovery of process fees for effecting attachment and sale of property for arrears of tax.

180. **MR. S. KRISHNA PILLAI** (*Karunagapalli*): Will the Government be pleased to state the rate at which costs are realised from defaulting tax-payers for effecting attachment and sale of movable and immovable properties?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The required information is given below:—

Items.	*Rate.*
1. Fee for demand (either under Section 7 or Section 23 A of the Regulation) ...	4 chs. per demand.
2. Fee for the distraint and sale of movables—to meet the cost of the labour of the Revenue staff in distraining and selling the movables ...	8 chs. per case.
3. Fee for the attachment and sale of immovables—to meet the cost of labour of the Revenue staff in attaching and selling immovables ...	14 chs. per case.
4. Tom-tom charges—to give due publicity of the intended sale of the property distrained or attached ...	21 chs. per *diem* for the Municipal town of Nagercoil, Trivandrum, Quilon, Alleppey, Kottayam and Parur and for hilly tracts (as defined in the T. S. R.) and 14 chs. per *diem* for other places in the low country. This is to be recovered over and above the rate of 8 chs. or 14 chs., as the case may be, mentioned above.
5. Transport charges, such as hire of boats, carts, head loads, coolies, etc. ...	At the rates prescribed in the *Account Code, Part I.*

MR. S. KRISHNA PILLAI (*Karunagapalli*): In regard to item (I), may I know for what purpose the demand fee of four chuckrams is realised? Is it by way of penalty, or for costs incurred by Government?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It is by way of costs incurred.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Costs incurred for what?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): For effecting service and also for the writing work.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Which is the staff that serves these notices?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The *Pakuthi* staff.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I suppose the *Pakuthi* Officer draws his pay from the treasury; or, is he being remunerated out of the demand notice fees collected from the people?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is it in addition to his other work that he is asked to serve these notices?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes; he has to attend to a number of other duties also.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I suppose that Government have satisfied that there is no necessity for the appointment of peons specially for the purpose of serving notices.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There is absolutely no necessity for appointing special peons.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is there any other instance in regard to the collection of tax in which fee is realised for the serving of notices?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes, in the case of default made by the party. This is provided for by the Regulation itself. For the recovery of arrears, we generally realise a fee.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is there any other instance under the Revenue Recovery Regulation?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the member please state why this fee is still being levied?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It is done under the Regulation. It is open to the member to propose an amendment to the Regulation.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is there any recommendation from the Dewan Peishkars that this fee should be reduced?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I have no information.

MR. S. KRISHNA PILLAI (*Karunagapalli*): With regard to items (2) and (3), will the member be pleased to state why there is so much difference (a difference of 6 chs.) between the fee for the attachment

and sale of movables and that for immovable properties? May I know why the fee for the attachment of immovables is higher?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There is some additional work in the case of the attachment and sale of immovable property.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What is the additional work as compared with the sale of movables?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I am sorry I cannot give the information now.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In regard to item (4), will the member be pleased to state whether the amount collected under the head "*tom-tom charges*" is being disbursed every time to the drum-beater? Do the Government take a portion of it and distribute only the balance?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Government do not take any portion of it.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the whole amount being paid out?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It is supposed so.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I am not asking about any supposition or presumption; I am asking about the fact.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): My information is that the whole money is being paid out.

MR. S. KRISHNA PILLAI (*Karunagapalli*): It does not come into the general revenues of the State at the end of the year?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is it paid only *after* collection or *before* collection?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It is meant to be paid then and there.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is it advanced from the general revenues or is there any special fund for that purpose? I will make my position clearer. If it is paid before collection, it must be advanced from the general funds. Or, it must be paid after collection. I wish to know, in the first place, whether Government take a share in it or pay out the whole sum—I thought the member did not understand my position. That is why I am explaining—Secondly, I want to know whether it is paid immediately after the tom-tom is made, or whether it is paid at the end of the year. From the reports submitted by the various Tahsildars, I believe the member could be able to give that information.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I have no information on the specific point now raised.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If it is paid at the end of the year, there is great scope for misappropriation.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I have not stated that it is paid at the end of the year.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the Government be pleased to make enquiries about that?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the member be pleased to state the various items in the "labour of the revenue staff" in regard to the attachment and sale of immovables?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Government will call for that information.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In regard to item (5), does the member mean that transport charges, such as hire of boats, carts, head-loads, coolies, etc., are also realised, along with the other dues, from the party; or, are these disbursed out of Government money?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) They do not exactly form part of the other costs. But, in cases where they are actually incurred, they are also collected.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I believe these are collected from the land-owners.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In regard to item (1), may I know whether the demand fee is per head or whether it is in accordance with the entry in the *Tandaper*? For every entry in the *Tandaper*, is the demand fee of four chuckrams realised; or is it realised only for every individual?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): A notice is sent to every *Tandaper* holder, and fee is realised for that.

MR. S. KRISHNA PILLAI (*Karunagapalli*): That is to say, if his name finds a place in six places in the *Tandaper*, you will send him six notices and realise six fanams.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There will not be six entries *in the same pakuthi* in the case of any one individual. There will be only one *Tandaper* for each individual.

MR. S. KRISHNA PILLAI (*Karunagapalli*): So that, when the transfer of registry is effected all the survey numbers owned by single individual would be brought *together* against his name?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member aware of the fact that, contrary to this principle, demands are being made unnecessarily from the tenants, on the pretext that for every *patta* a demand fee of 4 chs. must be paid?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I am not aware of that.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the Government kindly enquire into that matter?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There is no objection to enquire into that question.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is there a large increase in the amount collected as demand fees? Is there any report about that from the Land Revenue Commissioner?

MR. P. VISVANATHA AYAR (*Ag. Secretary to Government*); Government are not aware of that.

Provertikars and Pakuthi Accountants suspended or dismissed from service in the Agastisvaram taluk during 1104 to 1106.

181. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state the number of Provertikars and Pakuthi Accountants suspended or dismissed from service for grave misconduct in 1104, 1105 and 1106 in the Agastisvaram taluk?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): One Provertikar and one Accountant were suspended and none dismissed during the period in question.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Are the Government aware that there is supreme laxity among the Provertikars and Accountants?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Government are not aware of that.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know why one Provertikar and one Accountant were suspended?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The information is not now before me.

Establishment of a Magistrate's Court at Tiruvella.

182. **MR. M. P. MADHAVAN PILLAI** (*Tiruvella*): Will the Government be pleased to state:

(*a*) whether they have received any representation from the inhabitants of Tiruvella about the desirability of having a Magistrate's Court there;

(*b*) if the answer to part (*a*) is in the affirmative, whether they have made any enquiries in the matter and whether they have come to any final decision;

(*c*) the number of cases that were filed in the Chengannur First Class and Third Class Magistrates' Courts in the years 1100 to 1106, both inclusive; and

(*d*) of these, how many were from the jurisdiction of the old Tiruvella Magistrate's Court?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Yes, and the question has not been finally decided.

(*c*) and (*d*) A statement* containing the required information in respect of the Chengannur Division First Class and Stationary Magistrates' Courts is laid on the table.

---

* *Vide* Appendix V—page 440.

Article on "Travancore a hundred years ago" in the Kerala Society Papers.

183. **MR. A. THANU PILLAI** (*Trivandrum*) : Will the Government be pleased to state:

(*a*) whether their attention has been drawn to an article, published in the Kerala Society Papers, II Series 8, pages 123 to 133 and Appendix I to XXII on "Travancore a Hundred Years ago" by Mr. I. Matthew of Mallapalli;

(*b*) whether their attention has been drawn in particular to the statement in that article by the writer to the effect that the writer's attempt is to publish facts about that period "from the papers that passed through my hands in the course of my official duties;"

(*c*) whether the writer is an officer of the Government entrusted with the custody of State papers and other papers in the Central Vernacular Records Office;

(*d*) whether Government permission is required to publish documents and parts of documents of the kind published in the article;

(*e*) whether the officer concerned has been granted such permission;

(*f*) if the answer to part (*e*) is in the affirmative, who was the authority that granted the permission; and

(*g*) whether any authority satisfied himself that the publication of the documents published in the article in question is unobjectionable and not opposed to public policy?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) and (*b*) Government perused the article before despatch to the Society.

(*c*) Mr. I. Matthew was an Ag. Assistant Secretary to Government at the time he prepared it. He was for some time, in charge of the Central Vernacular Records.

(*d*) Yes, when they have to be taken from the Government records.

(*e*) Yes; this is referred to by the editors also in their foot note to page 123 of the article.

(*f*) and (*g*) The Government.

MR. A. THANU PILLAI (*Trivandrum*) : The answer to parts (*a*) and (*b*) is that the Government perused the article before despatch to the society. May I know why Government perused the article?

MR. K. GEORGE (*Chief Secretary to Government*) : It was to see whether the article was objectionable or unobjectionable.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether there is any officer entrusted with that duty?

MR. K. GEORGE (*Chief Secretary to Government*): There is no officer entrusted with that duty. It is done by some one among the officers of Government.

MR. A. THANU PILLAI (*Trivandrum*) : When a writer wants to contribute an article to a magazine,—

MR. K. GEORGE (*Chief Secretary to Government*) : This article concerns Government.

MR. A. THANU PILLAI (*Trivandrum*): When a person wants to contribute to a magazine an article concerning the Government, is it the duty of the Government to peruse it?

MR. K. GEORGE (*Chief Secretary to Government*): In this case it was done.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether there is any officer of Government, any officer paid by Government, to look into articles to magazines contributed by private individuals.

MR. K. GEORGE (*Chief Secretary to Government*): There is at present a Publicity Officer.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I do not see the connection between my question and the answer. I wish to know whether there is any officer of Government whose duty is to peruse such articles.

MR. K. GEORGE (*Chief Secretary to Government*): There is no such *special* officer *specially* set apart for that work.

MR. A. THANU PILLAI (*Trivandrum*): There may not be one *exclusively* doing that. I wish to know whether there is any officer within whose functions this also comes in. Is there any officer whose function among other duties is the perusal of articles contributed to magazines?

MR. K. GEORGE (*Chief Secretary to Government*): There are several officers entrusted with several duties.

MR. A. THANU PILLAI (*Trivandrum*): I understand that there are settled duties for officers. I wish to know whether there is any officer who has to do this work also?

MR. K. GEORGE (*Chief Secretary to Government*): There is no such special officer.

MR. A. THANU PILLAI (*Trivandrum*): Is there any officer?

MR. K. GEORGE (*Chief Secretary to Government*): I have said that there is no special officer of Government who should peruse articles.

MR. A. THANU PILLAI (*Trivandrum*): I want an answer with reference to the case covered by this present interpellation.

MR. K. GEORGE (*Chief Secretary to Government*): An authority under the Government perused the article.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know who did that?

MR. K. GEORGE (*Chief Secretary to Government*): That is confidential.

MR. A. THANU PILLAI (*Trivandrum*): Was there any order of Government asking the officer to peruse the article?

MR. K. GEORGE (*Chief Secretary to Government*): No order of Government is necessary.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether there is anything on record to show that anybody, on behalf of Government, perused this article before it was sent to the magazine?

MR. K. GEORGE (*Chief Secretary to Government*): Yes; there *is*.

MR. A. THANU PILLAI (*Trivandrum*): Am I to take it that the identity of the officer cannot be disclosed either by name or by his office?

PRESIDENT: You have to be satisfied with the answer given.

MR. A. THANU PILLAI (*Trivandrum*): In regard to the answer to part (*c*), was the writer in charge of the Central Vernacular Records at the time this article was published?

MR. K. GEORGE (*Chief Secretary to Government*): It is stated in the answer that he was an Ag. Assistant Secretary to Government at the time he wrote it?

MR. A. THANU PILLAI (*Trivandrum*): It is also stated in the answer that he was for some time in charge of the Central Vernacular Records. My question is whether he was in charge of the Records at the time he wrote this article.

MR. K. GEORGE (*Chief Secretary to Government*): He was in charge of the Central Vernacular Records prior to that and also later. At the time he submitted the article he was not.

MR. A. THANU PILLAI (*Trivandrum*): With reference to part (*d*), my question is whether Government permission is required to publish documents of the kind published in the article. And the answer is that Government permission is required. May I know when he was granted this permission? Was it before he sent it to the secretary of that society?

MR. K. GEORGE (*Chief Secretary to Government*): I am not able to say that now.

MR. A. THANU PILLAI (*Trivandrum*): Did he get Government sanction to prepare the article?

MR. K. GEORGE (*Chief Secretary to Government*): No sanction is necessary to prepare articles. Sanction is necessary only for making use of the records.

MR. A. THANU PILLAI (*Trivandrum*): Did he get sanction for that?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): May I know when that sanction was given?

MR. K. GEORGE (*Chief Secretary to Government*): I am not able to say that now.

MR. A. THANU PILLAI (*Trivandrum*): The answer to parts (*f*) and (*g*), is that the Government is the authority to give sanction. May I know, here at least, whether there was any officer who satisfied himself as to the unobjectionable nature of the article?

MR. K. GEORGE (*Chief Secretary to Government*): The Government were themselves satisfied of that.

MR. A THANU PILLAI (*Trivandrum*): When we say 'Government' we mean some person. There must be some person who was satisfied. I want to know the name of the officer.

PRESIDENT : It is the third time you are asking that, Mr. Thanu Pillai. Please sit down. The Secretary will please proceed with the next question.

MR. A. THANU PILLAI (*Trivandrum*) Am I not allowed to put any more supplementary question on this question?

PRESIDENT : No, not on this point.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I rise to a point of order. The time allotted for questions and answers has expired.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The rule is that the first hour shall be devoted to questions. There is no objection to continue even after that hour if the other items of business in the day's agenda would not suffer. To-day, the remaining business is in connection with Government Bills. I have no objection to have the answering of questions being continued.

PRESIDENT : I allow it to continue.

Grant of copies of records from the Central Vernacular Records Office.

184. **MR. A. THANU PILLAI** (*Trivandrum*) : Will the Government be pleased to state:

(*a*) whether copies of records in the Central Vernacular Records Office are given as a matter of right to applicants; and

(*b*) if the answer to part (*a*) is in the negative, the rules under which copies are granted?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) The answer is in the negative.

(*b*) The grant of copies of records in the Central Vernacular Records is regulated by the principles enunciated in the rules published at pages 268, 527 and 613 of Part I of the Second Supplement to the Land Revenue Manual, Vol. II.

Abolition of the Sub-Registry Office at Kotamangalam.

185. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*) (1) Will the Government be pleased to state whether it is a fact that they propose to abolish the Sub-Registrar's Office now existing at Kotamangalam?

(2) will they be pleased to lay on the table a statement showing:

(*a*) the number of documents registered in that office—

(i) in each of the months in 1106 and their total; and

(ii) in 1107 during Chingam, Kanni and Tulam, respectively; and

(*b*) the minimum number of documents required to be registered in a year in a Sub-Registrar's Office?

MR. K. GEORGE (*Chief Secretary to Government*) : (1) The matter is under consideration.

(2) (*a*) (i)	Chingam	...	169
	Kanni	...	167
	Tulam	...	222
	Vrischikam	...	248
	Dhanu	...	246
	Makaram	...	299
	Kumbham	...	289
	Meenam	...	322
	Medam	...	297
	Edavam	...	292
	Mithunam	...	227
	Karkatakam	...	182
		Total	2,960
(ii)	Chingam 1107	...	122
	Kanni ,,	...	109
	Tulam ,,	...	211

(*b*) 3,000.

Least number of documents registered in a Sub-Registry Office in 1106.

186. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state the name of the Sub-Registrar's Office in the State where the least number of documents was registered in 1106 but which is not now (16-4-1107) proposed to be abolished and what is that least number?

MR. K. GEORGE (*Chief Secretary to Government*): Bharananganam Sub-Registry Office, which registered 1,837 documents in 1106. The question of the abolition of this office is under consideration.

Documents registered in the Sub-Registry Offices at Parur in 1106.

187. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state the number of documents registered in 1106 in the Parur Principal Sub-Registrar's Office and in the Parur Additional Sub-Registrar's Office, separately, and the distance between those two offices?

MR. K. GEORGE (*Chief Secretary to Government*):

Parur Principal— 2,496.
Parur Additional— 2,676.

The distance is four furlongs.

Selection of Sub-Registry Offices for abolition.

188. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state whether any, and, if so, what principle they have accepted in the choice of Sub-Registrars' Offices now (16-4-1107) proposed to be abolished?

MR. K. GEORGE (*Chief Secretary to Government*): The general principle accepted by Government in the matter is to abolish the Sub-Registry Offices which have not sufficient work for an office, unless serious public inconvenience will be caused by such abolition.

Appendix I A.

***Vide* Answer to Question No. 154**

Statement showing the list of acting Accountants kept in the Kartikapalli taluk.

No.	Name of acting Accountant.	Date of first entertainment.	Total service.			Remarks.
			Y.	M.	D.	
1	P. N. Govinda Kurup	20-7-1096	8	3	1	Now Acting Accountant, Ambalapuzha taluk.
2	K. Nanoo Pillai	1-1-1098	5	11	20	These persons have been appointed as Accountants on probation at Shencotta and Pathanapuram taluks respectively as per Division order R. O. C. No. 281/06/Acc., dated 29-10-1106.
3	N. Padmanabha Pillai	9-6-1098	6	2	5	
4	S. Krishna Pillai	4-7-1098	5	1	19	
5	G. Chandy	10-3-1099	..	4	6	
6	M. G. Varghese	1-8-1099	3	5	9	
7	C. Sivarama Pillai	6-11-1099	4	2	6	
8	P. Narayana Pillai	24-12-1099	..	7	10	
9	T. V. Narayanan	13-3-1102	3	4	7	
10	S. Madhavan	16-9-1102	3	1	19	Now Temporary Accountant, Pathanamtitta taluk for surveying the Ryot's road.
11	K. K. Gopala Pillai	29-9-1103	3	1	21	
12	E. P. Krishnan Nair	12-10-1103	..	2	17	
13	Kunju Pillai Karanavar	18-10-1103	2	7	3	
14	Mathen Pappy	17-11-1103	..	2	7	
15	V. Gopala Kurup	6-1-1104	..	1	..	
16	T. G. Narayana Pillai	7-2-1105	2	1	5	
17	Easwara Iyer	20-3-1105	..	1	..	
18	Janardana Iyer	24-3-1105	..	1	15	Now Temporary Accountant, Pathanamtitta taluk for surveying the Ryot's road.
19	P. Krishna Pillai	29-10-1106	..	1	3	
20	S. Govindan Nayar	1-11-1106	..	1	..	

Appendix I B.

***Vide* Answer to Question No. 154.**

List of acting Accountants in the Mavelikara taluk.

S. No.	Name.	Date of entertainment in the Department	Qualification.	Period of acting service. Y.	M.	D.	Remarks.
1	Sankara Pillai Gopala Pillai.	12-9-1094	Vernacular School Leaving, Survey and Village Officer's Test	2	0	4	
2	K. Narayanan Nair .	21-12-1095	Do	8	5	21	
3	K. N. Krishna Pillai .	11-12-1097	Do	6	9	28	
4	P. V. Govinda Pillai .	11-7-1098	Do	5	2	0	
5	M. Gopala Panicker .	25-9-1098	Do	2	11	15	
6	K. Sankara Kurup .	19-1-1099	Do.	8	0	9	
7	K. T. Yohannan .	11-2-1099	Vernacular School Leaving, Village Officer's Test and Madras Technical Survey.	4	10	20	
8	K. R. Kesava Pillai .	22-2-1099	Vernacular School Leaving, Survey and Village Officer's Test.	1	8	23	
9	G. Chandy .	10-3-1099	Do.	1	2	14	
10	C. N. Kunchu Pillai .	1-11-1099	Do.	0	5	0	
11	P. Paramoo Pillai .	21-11-1099	Do.	1	10	25	
12	P. S. Idichandy .	4-1-1100	Do.	3	2	9	
13	K. G. Atchuthan Nayar .	9-7-1100	Do.	2	10	9	
14	P. M. Mathen .	13-5-1101	Do.	0	2	0	
15	A. Nanoo Pillai .	16-10-1101	Do.	0	8	11	
16	N. Krishna Pillai .	8-6-1102	Do.	1	1	35	
17	P. K. Narayanan Nayar .	20-7-1102	Do.	0	3	11	
18	Kochu Pillai Gopala Pillai.	18-8-1102	Do.	0	1	11	
19	K. Thampi Kannu .	1-5-1103	Do.	2	6	3	
20	M. Kesava Pillai .	8-7-1104	Do.	0	3	27	
21	N. Kunchu Nayar .	13-11-1104	Do.	0	0	26	
22	C. G. Krishna Pillai .	1-3-1105	Do.	0	1	10	
23	K. Gopala Panicker .	..	Do.				Included in the list as per orders of the Dewan Peishkar.
24	John Mathai .	..	Do.				

Appendix 1 C.

***Vide* Answer to Question No. 154**

List of acting Accountants of Tiruvalla taluk.

No.	Name.	Date of first entertainment in the Department.	Acting service put in.			Qualification.	Amount of security deposited.	Remarks.
			Y.	M.	D.			
							Rs.	
1	E M. Oommen	1-9-1097	3	4	9	V. S. L. C., Survey & V. O. T.	200	The total period of acting service may not be very accurate as many of these have put in service in other taluks.
2	Varghese, Cheriyan	1-9-1098	3	8	12	Do.	200	
3	T. Kuruvila	1-4-1099	4	10	15	Do.	150	
4	K. V. Thomas	1-3-1100	2	4	26	Do.	100	
5	T. G. Kuttan Pillai	16-4-1100	5	3	6	Do.	200	
6	K. R. Narayana Pillai	9-7-1100	6	..	11	Do.	200	
7	A. S. Nanu Pillai	29-10-1100	2	3	7	Vernacular Higher, Survey and V. O T.	100	
8	Varkey Eapen	1-7-1101	1	10	26	V. S. L. C., Survey & V. O. T.	200	
9	M. K. Narayana Pillai	8-11-1101	1	6	25	Do.	200	
10	K. N. Krishna Pillai	17-11-1104	..	8	26	Do.	100	
11	K. P. John	11-6-1106	..	5	19	S S L. C., V. S. L. C., Survey and V. O. T.	100	
12	M. G. Paramesvaran Pillai	13-7-1096	1	5	7	V. S. L. C., Survey & V. O. T.	..	
13	T. N. Rama Kurup	15-11-1101	..	5	15	Do.	..	
14	K. N. Krishna Pillai	17-11-1104	..	3	5	Do	..	
15	N. Paramesvaran Nayar	7-6-1106	..	5	4	Do.	..	
16	M. T. Philip	19-10-1106	..	..	5	Do.	..	

Appendix II A.

***Vide* Answer to Question No. 156.**

Statement, by caste, of the total number of Provertikars and Accountants in the Kalkulam and Vilavankod taluks.

No.	Name of post.	I. HINDUS.											II. MUSSALMANS.	III. CHRISTIANS.					IV. OTHERS.	Total.
		Brahmins—Malayala.	Brahmins—Others.	Ezhavas.	Nadars.	Kammalas.	Kshatriyas.	Nayars.	Pulayas.	Other depressed classes.	Vellalas.	Other Hindus.		Protestants.	Roman Catholics-Latin rite.	Do. Syriac rite.	Jacobites.	Mar Thomites.		
	Provertikars	...	2	...	...	...	...	23	...	...	4	7	...	...	...	...	...	...	...	36
2	Accountants	...	2	...	3	...	...	44	...	...	4	8	...	3	1	...	...	...	...	65

Appendix II B.

Vide Answer to Question No. 156.

Statement showing the number of recruits to the posts of Provertikars and Accountants from each community in the Kalkulam and Vilavankod taluks during the years 1103—1106.

Name of taluk.	Name of post.	Year.	I. HINDUS.											II. MUSSALMANS.	III. CHRISTIANS.					IV. OTHERS.	Total
			Brahmins—Malayala.	Brahmins—Others.	Ezhavas.	Nadars.	Kammalas.	Kshatriyas.	Nayars.	Pulayas.	Other depressed classes.	Vellalas	Other Hindus.		Protestants.	Roman-Catholics Latin rite.	Do.—Syriac rite.	Jacobites.	Mar Thomites.		
Permanent appointments																					
Vilavankod	Provertikar .	1103	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	...	...	...	2
		1104	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	...	...	...	2
		1105	..	..	..	..	..	..	2	..	..	.	..	..	1	..	..	...	...	...	3
		1106	..	..	..	..	..	..	2	..	.	..	..	..	..	..	..	...	...	...	2
	Accountant .	1103	..	..	..	1	..	..	1	..	..	..	..	..	.	..	..	...	...	...	2
		1104	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	...	..	...	2
		1105	..	..	..	2	..	..	1	..	..	..	1	..	..	..	..	...	...	...	4
		1106	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	...	...	2
Kalkulam	Provertikar .	1103	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	...	...	...	..
		1104	..	..	..	..	..	..	..	..	..	..	..	..	.	..	..	...	...	...	...
		1105	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	...	...	...	...
		1106	..	..	.	..	..	..	..	..	..	..	1	..	..	..	..	...	...	...	1
	Accountant .	1103	..	..	..	..	..	..	1	..	..	..	1	..	..	..	..	...	...	...	2
		1104	..	..	..	..	..	..	2	..	..	.	..	..	..	..	..	...	...	...	2
		1105	..	1	..	..	..	..	1	..	..	..	1	..	1	..	..	...	...	...	4
		1106	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	...	...	...	2

Appendix II B.—(*contd.*)

Name of taluk	Name of post	Year	I. HINDUS. Brahmins—Malayala.	Brahmins—Others.	Ezhavas.	Nadars.	Kammalas.	Kshatriyas.	Nayars.	Pulayas.	Other depressed classes.	Vellalas	Other Hindus.	II. MUSSALMANS.	III. CHRISTIANS. Protestants.	Roman-Catholics—Latin rite.	Do —Syriac rite.	Jacobites.	Mar Thomites.	IV. OTHERS.	Total.
									Acting appointments.												
Vilavankod	Provertikar	1103	..	..	..	..	..	..	3	..	..	..	..	..	..	..	..	..	..	..	3
		1104	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	1
		1105	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	2
		1106	..	1	..	..	..	..	1	..	..	..	..	..	1	..	..	..	..	..	3
	Accountant	1103	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
		1104	..	..	..	2	..	..	4	..	..	..	..	..	..	..	..	..	..	..	6
		1105	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	1
		1106	..	..	..	..	..	..	1	..	..	..	..	..	1	..	..	..	..	..	2
Kalkulam	Provertikar	1103	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
		1104	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
		1105	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
		1106	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	Accountant	1103	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	2
		1104	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	1
		1105	..	..	..	..	..	..	1	..	..	..	2	..	..	..	..	..	..	..	3
		1106	..	..	..	..	..	..	5	..	..	..	..	..	..	..	..	..	..	..	5

Appendix III.

Vide Answer to Question No. 167.

Statement showing the amounts sanctioned and spent for the maintenance of the Krishnanputur *kal* during 1103—1106.

		Budget grant.	*Amount spent.*
1103	...	Rs. 150	Rs 149-14-12
1104	...	„ 150	„ 222-11- 6
1105	...	„ 150	„ 225-27- 2
1106	...	„ 150	„ 67- 3-15 222-0-0 charged to original estimate.

Appendix IV.

Vide Answer to Question No. 172.

List showing the names of the licensees in Tamaracolam whose salt was washed away by the floods of 1101.

Names of licensees.	*Quantity washed away.* Mds.
1. Puttallom licensees	17,818
2. Licensees of the Avadhanial's Factory	43,6*8
3. Cape Comorin General Traffic Company	59,260
4. Licensees of the S. M. G. N. Allom	56,836
5. Licensee of the S. M. K. M. Allom	29,946

Appendix V.

***Vide* Answer to Question No. 182.**

Statement showing the total number of cases filed in the Division 1st Class and the Stationary Magistrates Courts, Chengannur, during the years 1100 to 1106 and the number filed from the jurisdiction of the old Tiruvalla Magistrate's Court.

Name of court.	Nature of cases.	Number of cases filed during							Total number filed from 1100 to 1106 M. E.	Number of cases filed from the jurisdiction of the old Tiruvalla Magistrate's Court from 1100 to 1106.							Total number filed from 1100 to 1106
		1100	1101	1102	1103	1104	1105	1106		1100	1101	1102	1103	1104	1105	1106	
Division First Class Magistrate's Court, Chengannur.	Calendar and P. E. cases.	189	301	326	238	242	254	214	1,764	75	130	137	73	96	83	77	671
	Miscellaneous cases.	42	78	92	80	71	58	34	455	23	24	34	25	29	26	16	177
Stationary Magistrate's Court, Chengannur.	Calendar and P. E. cases	914	894	965	1,238	1,256	928	903	7,098	412	399	419	532	565	397	411	3135

Legislation.

THE TRAVANCORE WIDTH OF TYRES BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Width of Tyres Bill. It has been published in the *Gazette* with a statement of objects and reasons; and I now beg to move that the Bill be read in Council.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall now briefly explain the principles that are sought to be carried out by this Bill. This Bill relates to springless carts, what are ordinarily called (ചക്കിടാവണ്ടി) *Chakkidavandies.* The regulations sought to be made by this Bill fall under two heads. One is in respect of the width and the shape of the tyres of the wheels of springless carts it being provided that the minimum width shall be 2 inches and that the surface shall be even-bearing across its full width.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know wherefrom the member got these measurements?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In the clauses of the Bill, they are given.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know the basis for such measurements?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They were supplied by the Chief Engineer. That is one regulation that is sought to be made in regard to these springless carts.

The other is in regard to the load that the cart may carry. That is provided for in clause 5. It prescribes the maximum load per inch width of the tyres. It is these two restrictions that are sought to be placed in regard to the use of these carts. The load that may be carried in the cart will vary in accordance with the nature of the road. That is also specifically laid down in clause 5. These two are the restrictions that are sought to be carried out by this Bill in regard to the use of these carts. In order that there may be better control, in order to ensure that these conditions are satisfied—particularly the condition regarding the width and surface of the tyre—it is proposed that the carts should be brought under registration. If the carts are registered, it would be easy to know whether a particular cart has the particular width of tyre or not. It is laid down, as a condition, that no cart will be registered unless it satisfies the restriction in regard to the width and surface of the tyres. So, by registration, it is sought to be ensured that these carts have the necessary width of tyres. These are the principles, in brief, involved in the Bill. The reason for introducing the Bill is this. Travancore is maintaining a large mileage of roads in very good condition, and it has been found that the narrow tyred springless carts cause serious damage to the roads. To minimise such damage, restrictions with regard to the width and surface of the tyres and the load to be carried on each vehicle are sought to be imposed.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Has the member any idea of the width of tyres of these carts now?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In some, it is $1\frac{1}{2}$ inches and in others it is $1\frac{3}{4}$ inches.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Is there a similar enactment in British India?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): In any part of India?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, so far as I have been able to trace.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): In Ceylon, please?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, I think.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In any part of the world?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) Yes, in a state in Australia; but that is not exactly like this.

MR. A. THANU PILLAI (*Trivandrum*): May I know the load now ordinarily taken in a springless cart?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is not uniform.

MR. A. THANU PILLAI (*Trivandrum*): Suppose we take the case of one cart-load of fuel that is taken from Neduvangad.,

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It *may be* as much as a ton, roughly.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Do the tarred roads come under clause 3 of this Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I think they are treated as metalled roads under the Bill.

MR. A. THANU PILLAI (*Trivandrum*): Now, if the width of the tyre is increased, how would that affect the bulls?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not in a position to say that and I shall not hazard an answer.

MR. A. THANU PILLAI (*Trivandrum*): May I know what is the weight that a cart can ordinarily carry?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I can't say definitely; it varies.

MR. A. THANU PILLAI (*Trivandrum*): I put that question in reference to clause 5, which prescribes one-fourth of a ton per inch width of the tyre if the road is a metalled one, one-sixth if a gravelled one and one-eighth if the road is any other kind of road. May I know what, ordinarily, is the weight that a cart can carry?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I cannot say. It will be nearly a ton, perhaps.

MR. A. THANU PILLAI (*Trivandrum*) : I want to know whether any information is available ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have answered that.

MR. A. THANU PILLAI (*Trivandrum*) : Then, may I know what is the ordinary weight a cart can carry in a metalled road ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The Chief Engineer will speak presently, and the members can clear all these doubts then.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): With whom is the Law Member going to entrust the enforcement of the provisions of this Regulation ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The Government have not decided that point. I presume the P. W. D. will be given the charge of the work.

MR. S KRISHNA PILLAI (*Karunagapalli*) : Is the member aware whether any officer has conducted any experiments on this matter ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not aware.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Will the member please state whether anybody else is aware of that ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have drafted this Bill on the reports of the Chief Engineer.

MR. A. THANU PILLAI (*Trivandrum*) : May I know whether this is an original piece of legislation or a copy or adaptation of the Australian law.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It is an original Bill.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): May I know whether this Bill would apply to springless carts which are used for passenger traffic in some places in South Travancore and in Shencotta ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): So, in spite of the fact that they are meant for passenger traffic, the Bill would be applied to them ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Registration is insisted upon in regard to the width of the tyres. There is no restriction made in regard to the number of passengers. The Bill does not apply to carts with springs.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*) : By the mere fact that they have no springs and have instead, a small piece of wood, are we to understand that they cause as much damage to the roads as the carts which carry heavy loads ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : In fact I may say that, when this measure was drafted, such springless passenger vehicles were not contemplated. Now that Mr. Venkatarama Aiyar has put forward that point, it may be considered in the committee stage. Some other provisions of the Bill also may require re-shaping. All that can be done in the committee.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*) Are we to offer our remarks *before* the Chief Engineer speaks? As the Law Member was not in a position to satisfy the doubts raised by the members on this side of the House, we are awaiting the Chief Engineer's speech.

MR. J. S. WESTERDALE (*Chief Engineer*) : I have not come prepared with any speech, but I shall offer a few remarks on the general principle of the Bill.

The necessity for broader tyres for springless carts has been felt throughout India for many years; and in many parts of India motions have been made from time to time to introduce legislation for the width of tyres. The reason why nothing has been done is, I think, that no Government had the courage to do it. I hope the Travancore Government will give the lead, in this matter, to the whole of India. There is no doubt that more damage is done to roads by springless carts with narrow tyres than by any other vehicles. Even the heaviest motor car does not do so much damage; and it may be a surprise to some of the members to know that a steam roller which weighs about 15 tons, when it works on the road, does not do so much damage as the ordinary springless carts with narrow tyres.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know whether the Chief Engineer has made any special enquiry or experiment in this matter?

MR. J. S. WESTERDALE (*Chief Engineer*) : I have not made any experiments. It is a very simple mathematical calculation. Take the width of the tyre, divide it by the load and the area of the road along which it passes. There is no need for any experiment.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): May I know whether there are any particular reasons why such a piece of legislation has not been resorted to in other parts of India?

MR. J. S. WESTERDALE (*Chief Engineer*): Please repeat the question.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): It has been stated by the Chief Engineer that such a piece of legislation is not in vogue elsewhere. Why is it?

MR. J. S. WESTERDALE (*Chief Engineer*) : Because, in those countries it is the custom to have wider tyres.

In fact, I have a report from the Executive Engineer, Alwaye, which says that some country carts carry more than 2 to 3 tons.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*) : May I know what is the width of tyres of such carts in Mysore?

MR. J. S. WESTERDALE (*Chief Engineer*) : I have no information.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): In Cochin?

MR. J. S. WESTERDALE (*Chief Engineer*): I have no information.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): In Baroda?

MR. J. S. WESTERDALE (*Chief Engineer*) I have no information. I have never been to Baroda.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Then, am I to understand that the Chief Engineer has made that observation without actually studying the width of tyres obtaining in other parts of India?

PRESIDENT: Mr. E. V. Krishna Pillai wants the width of tyres existing in other parts of India; and your statement was with reference to the width of tyres in countries outside India.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): The Chief Engineer is not, I suppose, in a position to tell us why such legislation has not been thought of in other parts of India.

MR. J. S. WESTERDALE (*Chief Engineer*): I am not able to say that.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): That means there is no particular reason why such a legislation should be enacted in Travancore alone.

MR. J. S. WESTERDALE (*Chief Engineer*): I was saying, Sir, that the necessity for introducing this Bill *has been* recognised in other parts of India. To be more precise, the necessity has been recognised in the Madras Presidency. I know that from first-hand knowledge. The necessity has been felt all over India, I know. It is particularly necessary in Travancore. Travancore is having a good set of roads and serious damage should not be caused by springless carts. I may give one or two typical examples of the damage done to roads by these springless carts. The Chalai bazaar, for instance, where the road is very very narrow, is mostly frequented by springless vehicles. On account of heavy cart traffic the road is seldom in good condition, in spite of all that the Department is doing to maintain it properly.

There is the Manavalakurihi-Colachel road which is also in a badly rutted condition, because of the heavy cart traffic. The carts that pass through that road are mainly springless carts with iron tyres. What we aim at is to give the Government, power, at least to *control* vehicular traffic. It does not follow that immediately after the introduction of this measure it would be enforced throughout the State. Only, Government should have the power to control such traffic, and see that these carts generally have tyres of particular dimensions.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): What are the toll fees intended for?

MR. J. S. WESTERDALE (*Chief Engineer*): For the maintenance of roads.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): And, is such maintenance necessitated by the damage caused by the vechicles that go on them?

MR. J. S. WESTERDALE (*Chief Engineer*): The tolls are intended for the proper maintenance of roads.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Am I correct in concluding that toll fees are intended as compensation for the damage done by the vehicles going along particular roads?

MR. J. S. WESTERDALE (*Chief Engineer*): I have already answered that question.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Are the toll fees levied as a sort of general revenue?

MR. J. S. WESTERDALE (*Chief Engineer*): No.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Then, is it not a special revenue affecting only the vehicles?

MR. J. S. WESTERDALE (*Cihef Engineer*): Yes; that is because the roads get damaged by traffic.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): The damage is caused by these vehicles, I suppose?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is that due to want of springs in the carts?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): That is why an additional burden is sought to be imposed upon springless carts?

MR. J. S. WESTERDALE (*Chief Engineer*): That is why provision is sought to be made for suitable tyres which are far cheaper than providing these carts with suitable springs.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): In the first place, the vehicles have to pay tolls. When this Regulation comes into force, they have to pay the registration fee also.

MR. J. S. WESTERDALE (*Chief Engineer*): Tolls are paid only to the extent necessary for the proper maintenance of the roads.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*); May I know the nature of the harm that is caused by narrow-tyred vehicles?

MR. J. S. WESTERDALE (*Chief Engineer*): They plough deep into the roads and cut them, and cause ruts on the roads.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will not carts with springs cause the same damage?

MR. J. S. WESTERDALE (*Chief Engineer*): Very little compared to the springless carts. Any iron-wheeled vehicle will cause a certain amount of damage.

MR. A. THANU PILLAI (*Trivandrum*): May I know how this increase in the width of tyres will affect the bulls? Will it increase the strain or diminish the strain?

MR. J. S. WESTERDALE (*Chief Engineer*): The member may put that question to the Director of Agriculture.

MR. A. THANU PILLAI (*Trivandrum*): I thought it is more a simple mathematical proposition involving knowledge of *dynamics* or laws of pressure or resistance than one of agriculture; so, the Chief Engineer will be in a better position to answer that question than the Director of Agriculture.

MR. J. S. WESTERDALE (*Chief Engineer*): If the tyres are broad, within limits, it would be easier for the bull.

MR. A. THANU PILLAI (*Trivandrum*): This increase up to two inches, is it considered to be *within limits*?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): Has the Chief Engineer any idea of the extent to which the price of fuel and other things would be affected if this legislation is introduced? I want to get some data. I shall make the point more clear. One cart-load of fuel in the town of Trivandrum costs about Rs. 9. The Law Member told us that one cart-load may weigh approximately one ton. It is provided in the Regulation that half a ton alone would be taken in a cart. Taking the weight of the cart also into account, only less than half a ton could be taken in a cart. Under such circumstances, is it not likely that the price of fuel would rise to twenty-five rupees? Is it not a very serious danger to the general public?

MR. J. S. WESTERDALE (*Chief Engineer*): The cart should not be heavily loaded. The information asked for by the member, in regard to load permissible in carts, is given in Section 5.

MR. A. THANU PILLAI (*Trivandrum*): The Nedumangad–Trivandrum road is a metalled road. In Section 5, it is stated that one-fourth of a ton per inch width of the tyre would be the maximum load if the road is a metalled one. This is for two wheeled carriages. The two wheels together would have four inches, width of tyres, if the tyres are as per the provisions in the Bill. So, for metalled roads such a cart can carry a ton less the weight of the cart. Am I correct?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): If the cart has four wheels?

MR. J. S. WESTERDALE (*Chief Engineer*): It can carry nearly two tons on metalled roads.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the weight that a cart can ordinarily take?

MR. J. S. WESTERDALE (*Chief Engineer*): I do not know.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Suppose the load is more than half a ton; would it be in accordance with sub-clause (3)?

MR. J. S. WESTERDALE (*Chief Engineer*): These are matters which may be examined by the Select Committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Without ascertaining the weight of an ordinary cart, is it proper to say that no person shall carry a particular weight?

MR. J. S. WESTERDALE (*Chief Engineer*): If it causes serious damage to the road, that matter has to be guarded against.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): My question is whether any attempt has been made to ascertain the weight of an ordinary cart?

MR. J. S. WESTERDALE (*Chief Engineer*): I have no information.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it not likely that the result might be, if this Bill becomes law, that springless carts would never be allowed to carry any substantial load?

MR. J. S. WESTERDALE (*Chief Engineer*): They can surely carry nearly half a ton.

MR. A. THANU PILLAI (*Trivandrum*): Is the weight sought to be restricted on account of the narrowness of the tyres?

MR. J. S. WESTERDALE (*Chief Engineer*) Yes; for a particular width of the tyres the load has to be within limits in the interest of the roads.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Has the question been examined with reference to any statistics? Has any report been called for from the subordinate officers as to the number of carts (with tyres less than two inches in width) now plying, and the number of carts that *have* the minimum width laid down in the Bill now?

MR. J. S. WESTERDALE (*Chief Engineer*): It is a well known fact that tyres of broader width are not imported into India. As such, how can we find any cart with two inch tyres?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Does it mean that broader tyres are not made here?

MR. J. S. WESTERDALE (*Chief Engineer*): I have not correctly understood the question.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): I want to know whether the Public Works Department has been asked to furnish details in regard to the number of carts having narrow tyres. Has any experiment been conducted to ascertain the amount of damage caused to the roads by springless carts with such tyres?

MR. J. S. WESTERDALE (*Chief Engineer*): No experiment has been conducted. There was no need for it. It is generally known among the road engineers that considerable damage *is* being done by carts with narrow tyres.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): That is a general statement. But, something more specific in regard to Travancore is necessary. So far as the particular roads that have been mentioned are concerned, the number of carts plying and the probable loss done by them to the roads could have been estimated. I wish to know whether any such figures are available.

MR. J. S. WESTERDALE (*Chief Engineer*): No figures are available. I cannot see what bearing those figures would have on the question before the House.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): I require the information as this is a novel legislation. It is in fact a novel legislation as far as India is concerned. Nowhere else in India has such a legislation been passed. We want to know the extent of loss that could be avoided by such a piece of legislation here.

MR. S. KRISHNA PILLAI (*Karunagapalli*): How did the Chief Engineer come to know that the damage done to the roads by the springless carts is more than that done by other vehicles?

MR. J. S. WESTERDALE (*Chief Engineer*): Officers of the P. W. D. have watched and found out that damage is being done by these carts more than by any other vehicles.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the Chief Engineer in possession of any reports made by any of the subordinate officers?

MR. J. S. WESTERDALE (*Chief Engineer*): I have already said that it is generally known to the road engineers that damage is being done to roads by springless vehicles. I have had several verbal reports from officers who have actually watched the wheels of the carts sinking into the roads and damaging them.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has the Chief Engineer ascertained the correctness of those reports?

MR. J. S. WESTERDALE (*Chief Engineer*): I myself know it from personal observation.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is it only an off-hand observation or is it a thorough scientific observation that the Chief Engineer has made?

MR. J. S. WESTERDALE (*Chief Engineer*): I have some scientific knowledge and training; so, it may be supposed that I use them when I observe or watch such matters.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I am not disputing the member's scientific knowledge. I only wish to know whether he has actually made a scientific observation in this matter.

MR. J. S. WESTERDALE (*Chief Engineer*): I do not exactly understand what the member means.

MR. S. KRISHNA PILLAI (*Karunagapalli*) Is the member sure that there might not be other reasons why our roads get wasted up soon? In addition to the havoc done by the springless carts, are there not other reasons why our roads get damaged much quicker than roads elsewhere?

MR. J. S. WESTERDALE (*Chief Engineer*): There may be other reasons also.

MR. S. KRISHNA PILLAI (*Karunagapalli*) May I know how much money is spent per mile annually for the maintenance of our metalled and gravelled roads?

MR. J. S. WESTERDALE (*Chief Engineer*): That varies very considerably in different parts of the State. An average rate for good metalled roads is about Rs. 500.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does not the member think that, if the whole of the maintenance allotment is spent on the roads, they would stand much longer than at present?

MR. J. S. WESTERDALE (*Chief Engineer*); I may assure the member that the whole of the maintenance grants *is* being spent on the roads.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member sure that all the Rs. 500 per mile is being spent on the roads?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes; and I do not think *our* roads become worn out more quickly than roads in other parts of India.

MR. S. KRISHNA PILLAI (*Karunagapalli*): My point, Sir, is that if the damage to our roads is proved to be due more to the fault on the part of the officers concerned than to the width of tyres of springless carts, I think we had better legislate on some other matter rather than on the width of tyres.

MR. J. S. WESTERDALE (*Chief Engineer*): As a large part of the revenues of the State is spent on keeping our roads in good condition—

MR. S. KRISHNA PILLAI (*Karunagapalli*): I wish to know whether the Chief Engineer has made any scientific observation in the matter? Did he mark out, say, a mile of metalled and gravelled road, have a specified number of carts to be drawn along and with tyres of different width drawn along them, and then ascertain the result? That is perhaps, one of the best ways of seeing whether the roads are really damaged on account of the springless carts, and whether such damage is due to the narrowness of the tyres. We should not be asked to rely upon hasty and verbal statements given by subordinate officers. We want to have an assurance in regard to this from the Chief Engineer and unless we get it we are not prepared to accept the statement. We must be satisfied that there is an urgent necessity for such a piece of legislation.

MR. J. S. WESTERDALE (*Chief Engineer*): May I know on what point the member wishes to have an assurance?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I wish to know whether the Chief Engineer has conducted any personal observation in regard to this matter?

MR. J. S. WESTERDALE (*Chief Engineer*): My answer is, '*Yes.*'

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the member please put us in possession of the results of his observation?

MR. J. S. WESTERDALE (*Chief Engineer*): The damage done to roads by springless carts is greater than the damage caused by other vehicles. That is the result of my observation.

MR. A. THANU PILLAI (*Trivandrum*): Can the Chief Engineer tell us what the cost of making two wheels, as contemplated by this Bill, would be?

MR. J. S. WESTERDALE (*Chief Engineer*): I have no information regarding that.

MR. A. THANU PILLAI (*Trivandrum*): May I know the approximate number of springless carts in the State?

MR. J. S. WESTERDALE (*Chief Engineer*): I cannot say. I think it has been estimated *approximately*, but the *exact* number is not known. I have no information on that point.

MR. A. THANU PILLAI (*Trivandrum*): I wish to get the information just to see how much money will have to be spent for making the new wheels within one year for the carts now in existence.

MR. J. S. WESTERDALE (*Chief Engineer*): Government propose, first of all, to experiment this measure in a particular area before extending it wholesale, throughout the State.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it the member's opinion that roads which are mainly used by the springless carts are more quickly damaged than other roads?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether the Government are spending a larger sum for maintaining these roads than those which are not mainly used by these springless carts?

MR. J. S. WESTERDALE (*Chief Engineer*): In some cases, I know it is so. But, I cannot say it is generally the case.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Do the roads used by these springless carts consume more money than the other roads?

MR. J. S. WESTERDALE (*Chief Engineer*): I have mentioned the case of two roads *viz.*, the first eight miles of the Main Southern road and the Colachel-Rajakkamangalam road.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know what is the annual maintenance per mile for the Colachal-Rajakkamangalam road?

MR. J. S. WESTERDALE (*Chief Engineer*): I am not quite certain about the figure. I think it comes to about Rs. 150. It is totally inadequate, and the Executive Engineer has, for the last several years, been pressing for an increase.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the maximum allotment per mile of road in the State?

MR. J. S. WESTERDALE (*Chief Engineer*): Rs. 1,750.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it for the first 8 miles of the Main Southern road?

MR. J. S. WESTERDALE (*Chief Engineer*): That portion also gets that allotment and also for a greater length.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it the opinion of the Chief Engineer that more than Rs. 1,750 should be allotted for the Colachel-Rajakkamangalam road which is used by the springless vehicles?

MR. J. S. WESTERDALE (*Chief Engineer*): I do not think it would require as much as the Main Southern road, for this reason. The bullock-carts are the initial cause of the damage; and once the road has been damaged, the heavy bus traffic contributes its share, and thus the damage is developed. In the case of the Rajakkamangalam-Colachel road, there is not much of motor-bus traffic; so the damage caused by the bullock-carts is not developed further.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether the Kayankulam-Adur road is used by the springless carts?

MR. J. S. WESTERDALE (*Chief Engineer*): I believe so.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the annual cost of maintenance, per mile of that road?

MR. J. S. WESTERDALE (*Chief Engineer*): I cannot give an off-hand reply. There are so many roads in the State, and every one of them has got its own maintenance grant. I cannot therefore give a reply to the question without referring to the list.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether the Chief Engineer has ascertained the extent of the damage that is caused by the springless carts to the important roads of the State?

MR. J. S. WESTERDALE (*Chief Engineer*): The evidence which we have is sufficient to prove that considerable damage *is* being caused to roads on account of the springless carts passing through them.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Am I to understand that, if we enforce this legislation, and if all the tyres are made of the width as provided in the Bill, no more damage would be caused to the roads?

MR. J. S. WESTERDALE (*Chief Engineer*): No; but the damage will be greatly reduced. The damage cannot entirely be avoided.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): May I know how many sacks of paddy or rice can ordinarily be loaded, on one of these carts, without violating this Bill?

MR. J. S. WESTERDALE (*Chief Engineer*): Fourteen sacks of rice at 162 pounds per sack, would be the reasonable load for metalled roads, 7 sacks of rice on earthen roads and 11 sacks on gravelled roads.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I suppose, in all these cases, the cart must be weightless.

MR. J. S. WESTERDALE (*Chief Engineer*): It is only on that calculation that I am giving the figures. It is not a difficult matter to make allowance for the weight of the cart.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I oppose the principle of the Bill. In the first place, no strong case whatsoever has been made out by the Government members in support of the suggestion that it is the springless carts that are responsible for the damage that is being done to our roads. And, this is quite a novel

piece of legislation as observed by the Deputy President. There is this very important aspect of the question *viz.*, that nowhere in India, and particularly, nowhere on this coast where climatic conditions are the same throughout, is such a piece of legislation in vogue. We would be introducing a very unwholesome element in this country if we pass this into law; because it hits hard thousands and thousands of *poor* people. It is a matter of common experience that these poor people, a major portion of them, live entirely upon the trade conducted with the help of these springless carts; and so, if these people are held responsible for the damage that is being done to the roads, certainly, it would be very hard. Further, as was suggested by Mr. Thanu Pillai, it will inaugurate another danger in respect of the price of the commodities in the State; because it is by means of these carts that we get down vegetables, fuel, hay and many other necessaries of our daily life. If this Bill becomes law, I am quite sure the next day, prices will go up like anything; and all this to fight an evil the existence of which neither the Law Member nor the Chief Engineer has been able to prove.

As regards the provisions of the Bill, there are three or four places where much is left to be done by some petty subordinates of either the Public Works Department or of the well-known Police Department. I am quite sure that everyone of my friends will stoutly oppose the suggestion that the Police should have anything to do with this. We have had too much experience of them: and it is not very palatable to think of that. The Police are now allowed to handle cases of overloading in motor cars; and even there, false allegations are made by them and cases concocted. Only counting of heads is necessary there. In this case it is not such a kind of examination that is contemplated by this Bill. The petty subordinates have to ascertain the width of tyres by measurement, and under Section 5, also the weight of the load. The subordinate officers have also to see whether the registration mark has been obliterated. Under Section 7, the court can interfere. It is up to anybody to take the cart to the Court, and the Court has elaborate powers. It can detain or keep the cart for any number of days, and can even seize it. This is a very hard piece of legislation sought to be imposed on the poor people. There is this aspect of the question also. Toll fees are being levied on springless carts as well; and, my impression has all along been that the levy of toll fees would be justifiable only on the ground that it compensates the damage done to the roads. Now, in preference to all other kinds of vehicles, the Bill seeks to impose upon the poorest section of the vehicle-keepers, a very unjustifiable tax by introducing part (*b*) of sub-section (2), of Section 8. This is found to be in no way necessary even after the elaborate support which it has had at the hands of the Chief Engineer. In view of the fact that this Bill would lead to very unwholesome consequences, and also in consideration of the fact that this is going to hit hard the *poorest* section of His Highness's subjects, I think it would be very mischievous if this Bill were allowed to be introduced and referred to a Select Committee,

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : Sir, I rise to oppose the principle of the Bill. The reasons adduced by the Law Member for introducing this Bill are far from satisfactory; and much less the replies given by the Chief Engineer. The Bill in question has to be amended before it is passed into law and the best way of amending it is to throw it off. In the statement of objects and reasons, the Law Member says:

"It has been brought to the notice of Government that increasing damage is caused to the roads in the State..........."

No doubt, some damage *is* caused. The only question at issue is whether such damage is so serious as to need this Bill. A man walks along the road; some damage is caused. A cat walks along the road; here also some damage is caused. A rat runs along a road, and scientifically there *is* some damage caused. The only relevant question at issue is whether this damage is so serious as to need an enactment like this. I should think that the damage is not appreciable; and therefore there is no imperative necessity for passing this dragon's bill which is written in letters of blood. Now, with regard to Section 6, the Law Member, who has a highly legal, critical acumen has unfortunately fallen into a pit. There are some Sections in the Indian Penal Code, Sections 126, 127 and 129; much has been said both in the press and in the platform in regard to these three Sections. Here, we have the Law Member coming forward with a provision that anybody who violates the provisions of Section 3 and Section 5 could be convicted and fined. This sounds like an ordinance of which we hear a good deal now in British India. This spirit of ordinance must go.

Then, as regards overloading, we can very well understand the penalising of overloading of buses. If in a 24 seater there are 25 persons, a case of overloading is easily made out. It is only a matter of counting. But, in the case of the carts why should overloading be penalised? If there is overloading, the two ill-fed bulls will not be able to drag the cart at all. The axle may break. So, in the case of an ordinary bullock-cart, the question of overloading does not arise at all. I therefore think that this Bill deserves only to be put into the waste paper basket; and hope that the whole House will vote against it. With these few words, I oppose the motion.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, I rise to oppose the principle of the Bill. I do so, not because the Bill is a novel one. That is not the reason which induces *me* to oppose the principle of the Bill at all. We can very well consider the Bill on its merits, irrespective of the fact whether it has been introduced in any other part of India, or for the matter of that, in any part of the world, or not. If the Bill is to prevent a real danger, and if the Bill is of any real help, we will accept the Bill and will help the passage of it irrespective of the fact whether it has been introduced in other part of the world or not. My main objection to the present Bill is that, after all, in the practical working of it, even granting all that the Chief Engineer has said—and I take much of what he had said, as he is an expert in the matter—even granting that a substantial amount of damage *is* being caused to

the roads, the question is whether such damage can effectively be prevented by this legislation. Or, is this legislation giving a hand to the subordinate staff to become more corrupt, leaving the roads as bad as at present? And, as an additional burden is sought to be imposed on the poor people who make a living out of these springless carts, I think it is only proper that the House ought to be in possession of the amount of damage these carts cause to the roads. Many a class of people are going to be adversely affected by this legislation. Unnecessary additional expenditure will have to be incurred by the poor owners of these country carts, and they may have to undergo serious hardship on account of the persecution by the subordinates of the P. W. Department or of any other Department to which the administration of this measure may be entrusted by Government. I do not know if the Government have in view to entrust it to the Police Department which already has too much in its hands and about which there is loud complaint from the people from all parts of the country. No assurance is forthcoming from the Government that this Bill would not be entrusted to the Police Department. I may say that if it is to be entrusted to the Police Department, the provisions of this measure, however unexceptionable or advantageous they may be to the people in themselves, are sure to be utilised for the detriment of the people. Therefore, if there is the slightest chance of the measure being entrusted to the police, on that ground alone, apart from any other reason, I would raise my emphatic protest against the enactment of this piece of legislation. Apart from other matters, I should very much like to have an assurance from the Government that there is not even the remotest chance of the police being entrusted with this work also. With regard to the P. W. Department also, there is much chance of the subordinates misusing the provisions and of molesting the poor people in the country.

Further, a lot of information on various points relating to the Bill have to be collected and furnished to the House before it is asked to give its assent to a measure of this kind. For instance, the unnecessary extra investment that the poor cart-owner will have to make, the heavy cost that the Government will have to incur for administering this piece of legislation, the saving that is likely to be effected in the cost of the maintenance of these roads, on all these matters there does not seem to be enough information now available. It is quite possible, Sir, that these carts are really doing a lot of havoc to our roads. Even conceding that, if it is possible to maintain our roads in good order without harassing such a lot of poor people and without doing damage to the freedom of the people and to the means of livelihood of a good number of His Highness' subjects, why should we go in for such a piece of legislation? It would be better for us, I think, to wait and see whether in any other part of India this piece of legislation is passed, and how it works there. Of course, if the Chief Engineer, or the Law member, can convince us by statistics that the measure is not going to cause serious hardship to the people, that it is likely to do more good

[Mr. K. Kunjukrishna Pillai.]

than harm, that the saving in the cost of maintenance would be tremendous, compared to the small expenditure to the cart-owners, and that the enactment of this measure would prevent or minimise the damage done to the roads, then there is no objection to a measure of this kind. But, I do not find, in the present instance, that such a case has been made out. I am sorry, therefore, that I cannot give my support to the principle of this Bill.

MR. M. GOVINDAN (*Nominated*): Sir, I rise to oppose the motion. I do not propose to make a long speech. All that I mean to point out is that no proper case has been made out, either by the learned Law Member or by the Chief Engineer, for the necessity to enact this piece of legislation. In the first place, no statistics appear to have been collected, and no model has been followed. I agree with the learned member who spoke before me that, for the mere reason that it is a new piece of legislation that is contemplated, we should not reject it. But, the very novelty of it may be due to the fact that it was not found practicable in other parts of the country to work such a piece of legislation. That is perhaps the reason why there is no such piece of legislation elsewhere. There *is* manifest injury done to the roads here. Whether it is the present width of tyres that causes the injury does not appear to have been carefully investigated and decided upon. This is not a new idea, so far as I know. Mr. Westerdale, certainly, is not responsible for initiating this piece of legislation. About 7 or 8 years ago, a circular went round, and some of us had to send up suggestions as to how this country-cart traffic could be regulated. So, perhaps it was being developed from year to year; and the result is the present Bill. One very objectionable feature of it is that these provisions may be administered by the low-paid subordinates of certain Departments; and these subordinates may abuse or misuse.........

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Does the member include the Police Department also?

MR. M. GOVINDAN (*Nominated*): I do not mean to point out any Department. It rests with the Government to ask any particular Department to administer the provisions of this Bill.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Am I to understand that the member has absolutely no confidence in any Department in the State?

MR. M. GOVINDAN (*Nominated*): Not that. I do not say that they are all bad. For instance, it rests with the subordinates to regulate the weight of the load. Suppose a cart is overloaded. If the subordinate officer suspects that it is overloaded, he can take it to a weighing station. That means the arrest of the cart. The cart and its load may be owned by distinct persons and either may be innocent. Still, the cart and the load will have to be taken to the weighing station. So, unless a strong case is made out, I think the House should not lend its support to this piece of legislation. I, therefore, strongly oppose the motion.

MR. P. S. MAHOMED (*Nominated*): സർ, ഇപ്പോൾ വാദപ്രതിവാദത്തിലിരിക്കുന്ന ബിൽ പാസാകുന്നപക്ഷം അതുകൊണ്ടുള്ള പ്രധാനമായ ഉപദ്രവം കൂലിവേലക്കാർക്കാണ് എന്നുപറയാതെ തരമില്ല. ഇന്നു സ്പ്രിംഗ് ലെസ്കാർട്ടിന്റെ ഉടമസ്ഥന്മാർ വേറെ ആളുകളാണെങ്കിലും അതു ഉപയോഗിക്കുന്നതു മുഴുവൻ കൂലിവേലക്കാരാണ്. ഈ ബില്ലുകൊണ്ട് അവർക്കു ഉപദ്രവം വല്ലതുമുണ്ടാകുമൊ എന്നാണ് ഇനി ചിന്തിക്കേണ്ടതു്. എന്റെ സ്നേഹിതന്മാർ പലരും പറഞ്ഞപ്രകാരം ഈ ബില്ലുകൊണ്ട് പല ഉപദ്രവങ്ങളും ഉണ്ടാകാനിടയുണ്ട്. എന്നാൽ ഇതുകൊണ്ടു ഗുണമുണ്ടാകുമൊ എന്നു നോക്കുന്നപക്ഷം ചീഫ്എൻജിനീയർ പറഞ്ഞതുപോലെ റോഡിനു കേടുവരുത്താതെ സൂക്ഷിക്ക എന്നൊരു ഗുണംമാത്രമെ ഉണ്ടാകാൻ തരമൊള്ളു. അതുതന്നെ സാധ്യമാണൊഎന്നു കണ്ടുതന്നെ അറിയേണ്ടതാണ്. ടയറിന്റെ വീതി കൂട്ടുന്നതുകൊണ്ടു വണ്ടിവലിക്കുന്ന മൃഗങ്ങൾക്കും മൃഗങ്ങളെക്കാൾ കൂടുതൽ ബുദ്ധിമുട്ടു തന്നത്താൻ വണ്ടിവലിക്കുന്ന മനുഷ്യർക്കും ഉണ്ടാകുമെന്നുള്ളതിനു യാതൊരു സംശയവുമില്ല.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): ആളുകൾ മൃഗങ്ങളുടെ കൂട്ടത്തിൽ ചേരുകയില്ല എന്നു ഈ ബില്ലിലുള്ള പ്രൊവിഷൻസിൽ നിന്നും മെമ്പർ മനസിലാക്കിയിട്ടില്ലെ?

MR. P. S. MAHOMED (*Nominated*): മൃഗങ്ങളാണ് വണ്ടിവലിക്കുന്നതെങ്കിലും അവയെ നയിച്ചുകൊണ്ടുപോകുന്നതു കൂലിവേലക്കാരാണ്. വണ്ടിയെ ശരിയായി നയിക്കുന്നതിനു അതു വലിക്കുന്ന മൃഗങ്ങളെപ്പോലെയൊ അതിൽ കൂടുതലൊ പ്രയാസം അതു നയിക്കുന്ന ആളിനുണ്ട്. അവസാനത്തിൽ മൃഗങ്ങൾക്കും അതിനെ നയിക്കുന്ന ആളുകൾക്കും അപായങ്ങൾ ഉണ്ടാകാനിടയുള്ളതാണ്.

ഓവർലോഡിനെപ്പററി പറയുകയാണെങ്കിൽ ഇന്നുമോട്ടാർവാഹനങ്ങളിൽ നടക്കുന്ന സമ്പ്രദായം നമുക്കു നല്ലവണ്ണം അറിയാം. നിയമങ്ങളെല്ലാം ഉണ്ടായിട്ടും മോട്ടാർവാഹനങ്ങളിൽ മുമ്പിലത്തെക്കാൾ ധൈര്യമായിട്ടു ഓവർലോഡു കയററിക്കൊണ്ടിരിക്കുന്നു. അതുനിമിത്തം വേറെവല്ലവർക്കും സൌകര്യമുണ്ടെന്നല്ലാതെ ഗവണ്മെൻറിന്റെ ഉദ്ദേശം സാധിച്ചിട്ടില്ല. റോഡുകൾക്കു കേടുകൾ വന്നുകൊണ്ടിരിക്കുകതന്നെ ചെയ്യുന്നു. അതുപോലെ ഈ നിയമം അനുസരിച്ചും കുറെ ആളുകളെ ഉപദ്രവിക്കാമെന്നല്ലാതെ റോഡുകൾക്കു വരുന്ന നഷ്ടങ്ങളെ തടുക്കാൻ സാധിക്കുകയില്ല; അതു വന്നുകൊണ്ടുതന്നെയിരിക്കും. ഇതിനുപുറമെ

[Mr. P. S. Mahomed.]

രജിസ്ട്രേഷൻഫീസ് എന്ന ഇനത്തിൽ പ്രത്യേകംതരത്തിലുള്ള ഒരുനികുതികൂടി ചുമത്തുന്നുണ്ട്. ഇങ്ങിനെ ഏതുവശത്തിൽ കൂടി നോക്കിയാലും ഇതു സാധുജനങ്ങളെ ഉപദ്രവിക്കുന്നതിനു പര്യാപ്തമായ ഒന്നാകയാൽ ഞാൻ ഈ ബില്ലിന്റെ മൂലതത്വത്തെ എതൃക്കുകതന്നെ ചെയ്യുന്നു.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Sir, I rise to oppose the principle of the Bill. This is a Bill which affects the poor section of the people, particularly those living in rural areas. In rural areas the number of roads are few, and the available vehicle is only the bullock-cart. By imposing restrictions on these bullock-carts, the Government would only be adding an additional burden to be borne by the people. If the bullock-cart owners are burdened with registration fees and other charges, they would of course indirectly tax the people who use these carts. So, it will indirectly affect the general body of the people who are compelled to use these carts. Again we have no assurance, either from the Law member or from the Chief Engineer, that, by introducing this Bill, we would be having a proportionate advantage. We were told by the Chief Engineer that there would be, of course, some reduction in the damage done to our roads and not entire avoidance of the damage. I know one road between Alwaye and Perumbavur which is in a very miserable condition. On that road there are a number of bullock-carts plying, and also a number of motor buses running. Probably, as the Chief Engineer has explained, nobody might know which of these has contributed to the damaged condition of this road. We cannot positively say which is the main cause of the damaged condition of the road. The Chief Engineer told us that the bullock-carts might have started the damage while it might have been developed by the motor buses. As a matter of curiosity, when I was coming here this time, on my way, I measured the width of the tyres of a few carts. I found that they were two *virals*—according to the Asari's *muzhakole*,—about two inches, I think. I refer to that fact because it is such kind of carts that are being used on these roads even now. So, although the width of the tyres of the carts now in use is as provided by this Bill, still the damage remains, so that we are not likely to be in a better position by the passing of such a piece of legislation. With regard to the provisions of this Bill itself I have to observe that clause 5 dealing with different weights on different kinds of roads is particularly dangerous. Of course, a man may have to use in the same journey, all the different kinds of roads, metalled, gravelled and all other kinds of roads. A man starting with a cart, having certain amount of load on a particular road that is metalled, will often have to pass the gravelled road or any other kind of road before he reaches his destination. According to this Bill, he will have to change the load with the change in the nature of the road. That will be a great trouble to the owners of these carts. Again in regard to passengers, of course, their weight also will have to be taken into consideration according to this

Bill. And in rural parts the bullock-carts are frequently used by passengers. If the passengers on their way are to submit to the checks of the subordinates of any Department, that will be entrusted with the checking of the weights in the carts, they will have to undergo immeasurable worry and annoyance and delay on the high way. If this Bill becomes law in our State, bullock-carts will either cease to exist at all or at any rate they will cease to be cheap and convenient. With these words, I oppose the principle of the Bill.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Sir, I rise to oppose the motion before the House, even though perhaps the Law Member is to be congratulated for having come out with a novel and original piece of legislation, so far as Travancore or, at any rate, India is concerned. I would, at the very outset, characterise this Bill as an unwanted piece of legislation: and if it becomes law, I am sure Sir, that we would be giving a further handle for mischief to the minions of law and order. I ask you, Sir, what is the urgent necessity for such a pernicious piece of legislation?

The Chief Engineer said that, so far as the two roads mentioned by him are concerned, there was increasing damage done by these springless carts. But even there, he was not able to enlighten us as to the extent of the damage caused by these springless metal-tyred carts. So, on such slippery basis, certainly it will be very unsafe to draw any general proposition so as to apply to the whole State. To a question from my friend Mr. Thanu Pillai, the Chief Engineer was not able to give us the approximate number of these carts now existing in the whole State. But I can assure the Chief Engineer that the number of such carts now in use *is* certainly going down and that we have not got as many of such carts now as before. A good portion of the load which used to be conveyed by these carts is now being transported by means of lorries. Any way, it is clear that there is no urgent necessity for introducing such a drastic measure; and, as for the harm likely to be caused by the enforcement of the Bill as my friend Mr. P. S. Mahomed said, it is the labourer that would be hit hard. It is the poor man that would be injuriously affected. The imposition of the registration fees would hit hard these poor men. There are also other practical difficulties in the way as has been already pointed out by some of my friends. How is a poor driver to know exactly the quantity of the load which he is carrying in his cart? Even the slightest excess will draw him into the clutches of the penal provisions contained in Section VII of the Bill. A Magistrate can fine him twenty-five rupees for the first offence; and, for a repetition of the same offence, he may be fined up to five hundred rupees. Whether or not he is convicted, the Magistrate has also the discretion to seize the cart and forfeit it to Government. In the light of such drastic and sweeping provisions and in view of the fact that there is absolutely no necessity established for the Bill and also in consideration of the fact that even in British India, which is our time honoured guide, in the field of legislation there is no such enactment, I would oppose the introduction of this Bill. I am at

[Mr. N. K. Krishna Pillai.]

one with Mr. Nadar and my friends on this side of the House who have said that this is a piece of legislation which should be knocked down even at this initial stage. With these observations, I oppose the motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I find that my small Bill has had a very large opposition. Still, after hearing all that has been said against it, I doubt whether there is any real need for so much opposition ; at any rate at this stage.

The issues on which the acceptability of this Bill depends are very few and simple. The first point to consider is, is there or is there not damage done to our roads on account of the narrow tyres of springless carts ? Upon that point an assurance has been given by the Chief Engineer, who is in charge of our roads and who is an expert; and, I think that may be accepted.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : May I know whether it may not be due to the maintenance grant not being spent properly on the roads ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : No. The Chief Engineer has specifically stated that if a cart has a wider tyre, the damage caused to the roads would be comparatively less than if it had a narrower tyre.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : May I know whether the Chief Engineer has ever travelled in these bullock-carts?

MR. J. S. WESTERDALE (*Chief Engineer*) : I have; I have now been in India for nearly 23 years.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : We have, Sir, the assurance of such an experienced officer on the first and the main issue that there *is* damage caused to our roads by the narrow tyres of springless carts.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) ; May I know whether such damage is appreciable ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, I was going to say that. Although definite statistics may not now be available as to the extent of damage caused exclusively by these carts, there can be no doubt that the damage caused is considerable and appreciable.

The second question is whether, having found that there is real and appreciable damage caused by these carts, the House would not agree that a suitable remedy should be devised. The remedy now proposed is to ask these carts to provide themselves with proper tyres. The question arises whether that is going to cause hardship to the owners of these carts; and, if so, what is the extent of such hardship ; will it be comparatively too much, having regard to the evil sought to be remedied, namely, the damage, caused to our valuable roads.

My point is that the cost that will have to be incurred, for substituting proper tyres, will not be more than eight or ten rupees: and that is not much considering the serious damage done to our roads.

MR. A. THANU PILLAI (*Trivandrum*): The wheels will also have to be changed when the tyres are changed. That would certainly mean much more than Rs. 10.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The wheels may cost about twenty rupees, I admit,

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the number of such carts in Travancore?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not now in a position to give that information.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I have the number of such carts, at least in one taluk or municipality?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not know that either.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will not the registration of these carts entail some fee?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not considerable. The fee is intended just to cover the actual expenses on the machinery necessary for effecting the registration. A perusal of the Bill will show that it is not intended to be a source of revenue at all, and that there is only one initial registration and not an annual registration.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Why should there be any fee at all for the registration?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It certainly involves some work, and some staff is necessary for the purpose. And further, that point does not affect the principle of the Bill.

Again it was suggested by Mr. P. S. Mahomed and some other members that this measure is likely to become an engine of oppression to the poor people of the country. I do not think so; and that point also does not practically relate to the main *principle* of the Bill. The main question involved in the Bill is whether this measure would adequately remedy the damage done to our roads by these vehicles; and we have found that it is the narrow tyres of these carts that are responsible for much of the damage done to our roads. Therefore, the best and perhaps the only possible remedy is, to enact a measure insisting upon wider tyres.

MR. RAMA VARMA RAJA (*Edavagai*): കാളകൾക്ക നേരിടുന്ന ബുദ്ധിമുട്ടിനെപ്പററി ഒന്നും പറഞ്ഞു കാണുന്നില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): കാളകൾക്ക സാരമായ ബുദ്ധിമുട്ടൊന്നുമില്ല.

[Mr. Kayalam Paramesvaran Pillai]

I said, in my original speech, that even now the width of the tyres of these carts is one and a half to one and three-fourths inches; and Mr. Abraham has just now stated that, in his constituency, it is even more than two inches. Therefore, it is not a very serious change that is now sought to be effected in the matter.

MR. A. THANU PILLAI (*Trivandrum*): Then, where is the necessity for this piece of legislation?

MR. RAMA VARMA RAJA (*Edavagai*): ടയറിന്റെ സർഫസ് കൂട്ടുംതോറും വലിക്കാനുള്ള ബുദ്ധിമുട്ട് കൂടുന്നു എന്നുള്ള തത്വം സമ്മതിക്കുന്നുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Chief Engineer said that, *within limits*, the increase in the width of tyres would be of help to the animals.

MR. RAMA VARMA RAJA (*Edavagai*): അതു രണ്ടിഞ്ചാണോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Chief Engineer repeated the expression *within limits.* He said that, within limits, broader tyres would be easier for the bulls.

I was submitting, Sir, that the only question that has to be considered is whether the House could not allow some remedy being devised for the serious damage caused to our roads on account of these vehicles. If the House is agreeable to that principle, then, I submit the other details could be worked out, as far as possible, in the Select Committee. We need not discuss them here.

The other point that may be considered is whether the restriction that is sought to be imposed in regard to the width of tyres and the weight of the load, is going to work as a serious hardship to the owners of these carts. The provisions in the Bill state that only the carts *to be made hereafter* should at once have wheels with broader tyres as provided in this Bill, and that, in the case of the carts *now in existence* they need be provided with broader tyres only within a year. As I have already pointed out, the material point to be considered is whether the House is going to insist on broader tyres or not. What should be done with the existing carts, and such other matters, may very well be considered in the Select Committee.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ടയറിന്റെ വീതി കുറവു കൊണ്ടാണ് റോഡിനു കേടു വരുന്നതെന്നു പറഞ്ഞു. ആ കണക്കനുസരിച്ചു കാളകളുടെയും കുതിരകളുടെയും കുളമ്പിന്റെ വീതി രണ്ടിഞ്ചിൽ കുറവായിരുന്നാൽ റോഡിനു കേടുവരാനിടയില്ലേ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That has nothing to do with the question now under consideration.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): കുളമ്പുകൾക്ക ഇരുമ്പുകൊണ്ടു ലാടം തറയ്ക്കാറുള്ളതായിട്ടറിയാമൊ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അറിയാം.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): ലാടം തറച്ച കുളമ്പുകൾ കൊണ്ടു മൃഗങ്ങൾ റോഡിൽകൂടി നടന്നാൽ റോഡിനു ഉപദ്രവം ചെയ്യുകയില്ലെ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If that is found to cause considerable damage to our roads—that is a hypothetical proposition—I have absolutely no objection to Mr. Abraham bringing forward a bill for that purpose; only Government have not found any need for that.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether, if some of these springless carts carry passengers, in such cases also, the *weight* of the passengers would be taken into consideration instead of the number?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It was only here, just now, that it has been pointed out by Rao Bahadur Venkatarama Aiyar that some of these carts are used, in some localities, for passenger traffic also. We never contemplated that. Of course, this matter may be considered in the Select Committee.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): My question is whether, in the case of such carts, the calculation would be made on the basis of the weight of the passengers or their number; for, some passengers may be fat and others may be slender. (*Laughter.*)

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*: That is not going to affect the owners of these carts prejudicially; because, let us take it that the maximum number of persons who can travel in one of such carts would be ten; ordinarily, even the fattest passenger will not weigh more than 200 lbs. So, the whole weight of the load would only be 2,000 lbs., that is, less than a ton.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know from the Law Member whether the question has been definitely ascertained whether it is the tyres that damage the roads or the bad roads that damage the tyres? (*Laughter.*)

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That question does not arise.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*); Is it not a reverse statement; and therefore does it not follow logically?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be a reverse statement. But it does not follow logically.

[Mr. Kayalam Paramesvaran Pillai.]

It has been found that the damage *is* being caused to the roads on account of narrow tyres; and the question is whether the *general tax-payer* should be called upon to spend more and more for the repairs and maintenance of these roads instead of particular individuals being asked to spend something extra just once and that in regard to carts *to be made hereafter*.

MR. A. THANU PILLAI (*Trivandrum*): May I have an idea of the total investment of an owner of one of these carts?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It will be about Rs. 70.

MR. A. THANU PILLAI (*Trivandrum*): And now he has to find about Rs. 30 more.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The wheels alone need be changed.

MR. J. S. WESTERDALE (*Chief Engineer*): In regard to the question put by Mr. Nadar a little while ago about the tyres being damaged by bad roads, may I point out that the narrow bullock-cart tyres damage the roads first and that such damaged roads then damage the good tyres of motor cars.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The real issue therefore, Sir, is whether the general tax-payer should be called upon to spend more and more on the maintenance of roads when it could be avoided by just some individuals being called upon to make a small additional investment on the wheels of their carts.

MR. A. THANU PILLAI (*Trivandrum*): What will be the extent to which the general tax-payer would be affected by enacting this legislation, by the enhancement in the price of fuel, for instance?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not think it will substantially be affected; because, the additional expenditure likely to be caused by the proposed measure will not be more than a rupee or two.

MR. A. THANU PILLAI (*Trivandrum*): Including the cost of the wheels which also have to be made to suit the broader tyres?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*:) Not even then.

MR. A. THANU PILLAI (*Trivandrum*): Should not the wheels suit the tyres?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not now speaking with regard to the carts *now in existence*. I am referring to carts coming into existence hereafter. As I have already stated, at present, the carts have tyres one and a half or one and three-fourths inches wide. A pair of wheels with such tyres may cost at present, say, about Rs. 20 or 30. I daresay, a pair of wheels

with tyres two inches broad is not going to cost more than just one or two rupees more than a pair of wheels with tyres one and a half or one and three-fourths inches broad. The additional cost due to the increase in the width of the tyres by quarter of an inch is not going to be more than a rupee or two. That is my point. The carts to be made hereafter should certainly have some wheels. The Bill now proposes that, instad of making wheels to suit tyres one and three-fourths inches broad, they should be made to suit tyres two inches broad. The additional cost involved is not therefore appreciable in the case of carts to be made hereafter.

MR. A. THANU PILLAI (*Trivandrum*): May I know the basis of the statement that the additional expenditure involved will only be a rupee or two?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I think the additional cost would not be more than that. I am prepared to accept the statement of any other member in the matter. Therefore, sir, the main question is whether the House would have more and more of the general tax-payers' money being spent on the maintenance of our roads, or would have just a few individuals suffering two or three rupees of additional investment on their carts.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): There is also the further question as to the additional investment in the case of the existing carts.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall refer to that question presently. The question is whether the House is going to allow a couple of rupees more to be spent on the carts of particular individuals or whether they would have thousands of rupees more of the general tax-payer's money being spent on the repair and maintenance of roads.

As regards the existing carts, I admit the wheels will have to be changed, and the additional investment would be about Rs. 20 or Rs. 30. My submission is that what exactly should be done with regard to the carts now in existence without causing much hardship to the poor owners, is a matter which could be satisfactorily settled by the Select Committee.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member satisfied that there will be appreciable benefit to the general tax-payer by this measure being enacted and by the poor cart owners being compelled to suffer additional investment?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): The member has all along been only quoting the Chief Engineer in the matter. I want to know whether personally he has satisfied himself in the matter.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government are satisfied with the assurance given to them by their expert.

MR. S. KRISHNA PILLAI (*Karunagapalli*): But, are they able to furnish any data from which we could satisfy ourselves that this is a real necessity?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government are satisfied that considerable damage is being caused to the roads on account of springless carts with narrow tyres.

MR. S. KRISHNA PILLAI (*Karunagapalli*) Am I to understand that Government have been convinced that the damage now caused by tyres one and three-fourths inches broad is considerably more than the damage likely to be caused by tyres two inches broad?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Putting along with this, also the restriction in regard to the load, Government are satisfied with the assurance of their expert in the matter.

MR. RAMA VARMA RAJA (*Edavagai*): ഈ ബില്ലുകൊണ്ടു രണ്ടിഞ്ചിൽ കൂടിയ വീതിയുള്ള ടയർ ഉണ്ടാക്കിക്കൂടാ എന്നു വരുന്നുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഇല്ല.

MR. RAMA VARMA RAJA (*Edavagai*) രണ്ടിഞ്ചിനു പകരം നാലിഞ്ചു വീതിയിൽ ടയർ ഉണ്ടാക്കിയാൽ കാളയ്ക്കു വലിക്കാൻ പ്രയാസമായിട്ടു വരികയില്ലേ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If my friend is keen on safeguarding the interests of the bullocks, I may point out that there s absolutely no objection to his bringing forward a Bill protecting the interests of bulls. I am now concerned with the roads.

MR. A. THANU PILLAI (*Tirvandrum*): It has been observed, Sir, in the course of the debate, that one cart-load of fuel now brought to Trivandrum from Neduvangad would weigh about a ton. If this measure is passed, may I know how many carts would be required to bring a ton of fuel from Neduvangad to Trivandrum? I think three carts would be required to carry a ton of fuel from Neduvangad to Trivandrum; because from Neduvangad to Trivandrum, the cart has to pass through all sorts of roads, and not merely metalled or gravelled roads. Under the provisions of the Bill, the load should not be more than one-eighth of a ton per inch width of tyre in the case of roads which are neither metalled nor gravelled. So, taking into account the weight of the vehicle also, the load in a cart should not exceed about a third of a ton.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not able to follow the member.

MR. A. THANU PILLAI (*Trivandrum*): It is a matter of pure arithmetic. The total width of the two tyres together is four inches, and the maximum load, allowed under the provisions of the Bill, is

half a ton for a cart with such tyres. Therefore, making allowance for the weight of the cart also, the load should not exceed more than about a third of a ton. Therefore, while the price of a cart-load of about a ton of fuel is now Rs. 8 or Rs. 9, it would go up to Rs. 25 or Rs. 30 if this Bill is passed into law.

MR. J. S. WESTERDALE (*Chief Engineer*): May I intervene, Sir, because the debate is now going on a wrong hypothesis. The bitumen treated roads in Trivandrum will be classed as metalled roads under the Bill; and so, the carts could carry more than half a ton.

MR. A. THANU PILLAI (*Trivandrum*): The cart from Neduvangad may have to pass through country roads also. It is only the main road from Neduvangad to Trivandrum and the roads in the Trivandrum town that are metalled roads. The cart cannot have a particular load when it starts from Neduvangad, and a heavier load as it enters this town.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I do not think there is much room for discussion in regard to the main principle of the Bill.

MR. A. THANU PILLAI (*Trivandrum*): But, it should be workable in practice.

MR. KAYALAM PARAMESWARAN PILLAI (*Additional Head Sirkar Vakil*). Yes, certainly.

Sir, if the principle is accepted, *viz.*, that the width of the tyres and the corresponding loads in carts may be regulated by legislation, the other questions are all matters of detail which may be considered by the Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): The conclusions arrived at by the Select Committee cannot in any way affect the laws of science and the rules of arithmetic. If according to the expert adviser of Government, namely the Chief Engineer, a cart could carry ordinarily only about one-third of a ton, how can the Select Committee be expected to alter that? I suppose the opinion of the expert embodied in the Bill is based on scientific calculation. The weight prescribed under the Bill is I suppose the maximum that could be allowed consistent with the safety of our roads.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But that point may be examined further, and there is nothing to prevent the expert reconsidering the question on the lines of the practical aspects suggested by the other members of the Select Committee. Sir, in human affairs it is not possible to reach the ideal state of affairs. It may therefore be likely that this measure also is not likely to work with all round perfection. After all, it is a question of expediency; and if it is found in the Select Committee that some changes have to be made in regard to the load and such other matters of detail, there is absolutely no objection to the necessary changes being made, if the principle of the Bill is now accepted. And, even the question as to whether the measure is likely to work as an engine of oppression in the

[Mr. Kayalam Paramesvaran Pillai.]

hands of the subordinates of the Department, and the question whether there should be any further legislation, and all such other matters, may be considered and set right in the Select Committee. I would therefore ask my friends to consider now the main question whether they are prepared to undertake a legislation for the purpose of regulating the width of tyres in springless carts in the interests of the general tax-payer, lakhs and lakhs of whose money are now being spent for the maintenance of our roads.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I ask the Law Member why, in clause 30 of the Bill, punishment by death or by transportation for life, or by lynching as it is done in America, has not been prescribed?

PRESIDENT: You need not answer that question Mr. Paramesvaran Pillai.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not got the slightest objection to Mr. Nadar tabling an amendment to that effect. (*Laughter*).

The motion to introduce the Travancore Width of Tyres Bill was then put to the vote of the House and lost.

The Council adjourned for lunch at 2-20 P. M. and met again at 3-15 P. M., the Deputy President presiding.

DEPUTY PRESIDENT: As the Dewan President is suffering from cold, he is not able to preside; I have therefore to preside over the deliberations of the Council now.

THE TRAVANCORE TOWN-PLANNING BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, the next item of business is the Town-Planning Bill. Yesterday, I presented the report of the Select Committee on that Bill and moved that the Bill as reported by the Select Committee be taken up for consideration. As it was suggested by some of the members of the House that the consideration of the Bill might be postponed to this day, it was postponed. I now beg to move for the consideration of the Bill being resumed.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The motion was put to the vote of the House and carried.

Clause I.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Sir, I beg to move the following amendment:—

"In sub-clause (3), insert "1115" after the word "on".

Sir, the Bill makes provision for the appointment of a Director for Town-Planning and also for the necessary establishment for that Officer. If the Bill is to come into operation next year, the Financial Secretary will, of course, stand up at the end of this year and move for a grant of about a lakh of rupees for that purpose.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : On a point of order. I doubt whether the motion itself is in order. It simply states that the Bill is to come into force '*on*' 1115. The date is not specified.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : I want the enactment to come into operation soon after the beginning of the year 1115.

DEPUTY PRESIDENT : That again is vague. You must specify the date.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : I would say it should come into operation on 1-1-1115.

DEPUTY PRESIDENT : I think that would satisfy you, Mr. Karayalar.

MR. S. CHATTANATHA KARAYALR (*Pathanapuram* cum *Shencotta*) · Yes, Sir.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : Sir, at the last Budget session, the Financial Secretary told us that he expected to have a surplus of Rs 8·3 lakhs ; but after one or two months he told us that he anticipated a deficit of Rs. 15 or 16 lakhs. Sir, where is the financial integrity ? These are days of retrenchment. Retrenchment is the order of the day, not only here but everywhere. Therefore, in a time like this it is not wise to enact a measure, like the one now before the House, involving such heavy expenditure to Government and also to the people. It is therefore that I suggest that the enactment need come into force only in 1115.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know from the member how he happened to pitch upon the year 1115 for this purpose?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Under what clause of the Bill does the member apprehend that the Financial Secretary would make a demand for the purpose of this Bill?

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): I am not concerned with any particular clause of the Bill just now.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): So, am I to take it that it is not in reference to any provision in the Bill that the member is now making his amendment ?

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Sir, the Bill now under consideration is not like the Jenmi-Kudiyan Regulation or the Police Regulation Amendment Bill. It is one which is going to swallow money. There is serious economic depression everywhere now, and it is expected that it is sure to continue for some years to come.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I know whether the member is sure that the depression is sure to cease just before 1115.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : It is a matter of opinion.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : Astrological ?

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) It is economical, and not astronomical.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): If it is economical, we must have the data from which the member draws his conclusion.

DEPUTY PRESIDENT: He has already stated that it is a matter of opinion.

The amendment fell through for want of seconding.

The question that clause 1 do form part of the Bill was put and carried.

The clause was added to the Bill.

Clauses 2 to 21.

The question that clauses 2 to 21 do stand part of the Bill was then put and carried.

The clauses were added to the Bill.

Clause 22.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Sir, before speaking on this motion, it is quite unfortunate that I raise a complaint that it is not the copy of the motion that I gave to the Secretary to the Legislative Council. The sentence runs thus: "Delete clauses 22, 23 and 24". But either the Council Secretary or the Law Member has made dissections of my amendment. I submit to the Chair that I may be allowed to deal with clauses 22 to 25 together and to consider all my amendments to them as one amendment. I want permission.

DEPUTY PRESIDENT: Evidently, you want to take objection to the provisions relating to the betterment contribution. You may deal with them clause by clause. You may address the Council as regards the principle underlying all these provisions and afterwards in regard to each clause address the House. I think you have no objection to this procedure being adopted?

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): No Sir, I have no objection. My amendment motion is to delete clause 22. I am dead against this principle of betterment contribution. If a property is injuriously affected, is the owner entitled to compensation for it from the Municipal Council? No. But, when it comes to the question of betterment contribution that is sought to be obtained from the owner. Section 22 says.

"Where by the making of any town-planning scheme the value of any property has increased or is likely to increase, the municipal council, if it makes a claim for the purpose within the time, if any, limited by the scheme, not being less than three months after the date of publication of a notification of Our Government sanctioning a scheme under Section 12, shall be entitled to recover from the owner of such property an annual betterment contribution for such term of years and at such uniform precentage of the increase in value not exceeding ten per centum as may be fixed in the scheme:

Provided that the aggregate amount of the contributions so recovered shall not exceed one-half of the maximum increase in value during the aforesaid term of years as ascertained under the next following Section."

I believe that it is likely to cause great hardship. Sir, some of our municipalities have become litigants. For instance, Kottayam is one; and Padmanabhapuram is another; and if this provision is allowed to remain in the Bill, I believe all the municipalities in the State would become litigant municipalities. Therefore, I think that the provision for betterment contribution should be removed altogether from the Bill. I may be entirely right or I may be entirely foolish even. (*Laughter.*) But I believe that the abolition of this clause would be for the good of the people. I am convinced of it and therefore I stand for this amendment.

For want of seconding, this amendment was considered to have been lost.

The question that clause 22 do form part of the Bill was put and carried.

The clause was added to the Bill.

Clause 23.

DEPUTY PRESIDENT : The member's remarks relating to clause 21 apply to this also; is it not so Mr. Nadar?

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Yes Sir. One word, that is to say, clause 22 has not been allowed to remain in the Statute Book. Therefore, I move for the deletion of this clause also.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I remind the member that clause 22 remains part of the Bill?

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Then I dissent, Sir. I am not going to withdraw my amendment on that score. I would court defeat and prefer that to cowardly withdrawal.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I rise to a point of order. The motion has not been seconded. There is therefore no question of withdrawal.

DEPUTY PRESIDENT : As it is, you may move the amendment Mr. Nadar.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Yes Sir; I move the amendment.

DEPUTY PRESIDENT : Anybody to second that amendment? No.

For want of seconding, the amendment was declared lost.

The question that clause 23 do form part of the Bill, was then put to the vote and carried.

The clause was added to the Bill.

Clause 24.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Sir, I move for the deletion of the clause.

DEPUTY PRESIDENT : There is an amendment motion by Mr. Nadar to clause 24. Is there anybody to second it? No.

For want of seconding, the amendment was declared lost.

The question that clause 24 do form part of the Bill was then put to the vote and carried.

The clause was added to the Bill.

Clause 25.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Sir, I move for the deletion of the clause.

DEPUTY PRESIDENT : Anybody to second the amendment? No.

For want of seconding, the amendment was declared lost.

The question that clause 25 do form part of the Bill was then put to the vote and carried.

The clause was added to the Bill.

Clauses 26 to 33.

The question that clauses 26 to 33 do form part of the Bill was put to the vote and carried. The clauses were added to the Bill.

Clause 34.

MR. M. GOVINDAN (*Nominated*): Before going to the amendment, I wish to draw the attention of the House to the first paragraph of the clause.

> "The provisions of Sections 14, 22 and 23 of the Land Acquisition Regulation, XI of 1089, shall have no application in the acquisition of property for the purposes of this Regulation".

That is how the first paragraph reads. That shows that Sections 14, 22 and 23 do not affect the provisions of this Regulation except to the extent hereinafter repeated. In fact the subsequent provisions are purely a repetition of Sections 22 and 23. But it so happens that the important provision of Section 22 relating to 15 per cent. *solatio* does not find a place here. Therefore, I propose that the provision here should also confer the benfit of 15 per cent. in addition to the market value. Under the Land Acquisition Regulation, owing to the compulsory nature of the acquisition, 15 per cent. of the market value is also given to the person whose property is acquired. That provision is omitted here. I wish a similar provision is made in this Bill also. I am not making a novel suggestion. I am simply asking this House to adopt a beneficial provision from the Land Acquisition Regulation now in force. Sir, the principle that a man has absolute power of disposal over his property and that he need not part with it if he is not willing, must be considered to be the foundation of the right over property. Now, for public purposes and other paramount considerations, we are practically making a legal infringement on that right of private ownership. When we do so, the legitimate extra compensation provided under the Land Acquisition Regulation should certainly be given to the owner of the property compulsorily acquired. There is no reason whatever why we should omit that provision in this Regulation. Suppose I own a property in the middle of the town and I am not willing to part with it. If for public purposes it is necessary, 15 per cent. has to be paid to me in addition to the market-value under the Land Acquisition Regulation.

Why should that be denied to me in the case of acquisition for town planning? I do not see any reason for that. I believe the Law Member will have no objection to accept my amendment. I shall read the amendment.

After clause 2 (d), insert the following:—

"In addition to the market value of the land as above provided, the Court shall, in every case, award a sum of fifteen per centum on such market value, in consideration of the compulsory nature of the acquisition."

By the insertion of that clause there, the subsequent sub-section will have to be renumbered. The subsequent sub-section is now numbered (3), and as I am appropriating (3) for my amendment, the subsequent sub-section will have to be renumbered as (4).

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I oppose the amendment. It is no doubt correct on principle, to some extent, that an owner of property should be given something extra as a *solutiun* for the compulsion he is subjected to in parting with his property. That principle is accepted in the Land Acquisition Regulation which applies to the acquisition of land throughout the State. But, in this particular case the land which is to be acquired would generally be within the municipal limits and the body that would be called upon to pay for the land is the Municipal Council. It is a matter for consideration whether the Municipalities, which work directly in the interests of the towns, and the town-dwellers should be called upon to pay 15 per cent. in excess of the fair value of the prperty merely because of the compulsory nature of the acquisition.

MR. M. GOVINDAN (*Nominated*): Is it not in the interests of the State that land is acquired under the Land Acquisition Regulation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May be.

The Municipal Council is created by statute and has its own rights and its own liabilities, and it is functioning for the citizens. When acquisition is made by it, it is made directly and specifically for the comforts and amenities of the city and its inhabitants. That is why this *solatium* has not been provided for in the Bill. This is the view taken elsewhere also. The provision is similar in the Madras Town-Planning Act. When land is acquired by a Municipality mainly for the benefit of its inhabitants, it should not be asked to pay anything more than the market value.

There is another aspect of the question. After all, who is going to bear the burden of this extra payment? The Municipal Council. The Municipal Council gets its revenue only from the citizens of the Municipality. Therefore, this burden would become an additional burden on the people of the locality. You may ask the question whether the Government are not paying something extra and whether they also do not get their revenue from the people. No doubt, Government get their money from the people. But the Municipal Council,

[Mr. Kayalam Paramesvaran Pillai.]

works directly and specifically for the comfort of the citizens of the locality, and so it should not be asked to pay anything extra. That is the opinion held elsewhere on this question.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What is the work of the Government?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They work in the interests of the people.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Then, why should they be called upon to pay anything extra?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be a mere matter of opinion. The proper opinion according to me and according to the Select Committee and according to other Legislatures is that the Municipal Council should not be called upon to pay anything more than the real and fair value of the land.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the owner of the land, who is compelled to surrender it to the Municipality, entitled to a portion of the land when the scheme is completed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If the land is acquired, he will not be entitled to it.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What is it that the Municipality would do with the land?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It will use it for the purpose for which it is acquired.

If it is meant to be leased out, they will lease it out. If it is to be sold, they will sell it. But that is not the question now. The question is whether the Municipal Council should really be called upon to pay anything more than the fair value of the property it acquires in the interests of town planning.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Is not the member aware that by the acquisition of the land and by making the town more convenient, the Municipality would get a betterment contribution?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): I beg to oppose the amendment. The absence of such a legislative provision, elsewhere (which has been referred to by the Law Member) in the Town-Planning Act alone, while there is specific provision in regard to acquisitions made by Government for public purposes, makes us enquire—in fact this is a point which has been thought over and discussed thread bare in the Select Committee—into the special reason why such a provision has been omitted in the Town-Planning Acts alone. Though there is much of similarity between the objects of town-planning and the purpose of Government as far as the people are concerned, there is this very material difference *viz.*, that the activities of Government are

manifold and so very extensive that it may not always be possible for an individual who parts with his land to enjoy directly the benefits derived from due to the acquisition of his land by Government. For instance, if land is acquired, in the Quilon Chinnakkada Market for the purpose of constructing the residential quarters of the Executive Engineer, the owner of the property who parts with his land for that purpose does not stand to gain anything. There are numerous activities of Government which do not directly benefit the owner of the land acquired by the Government. On the other hand, there is the Municipality which solely, entirely, and exclusively exists for the benefit of the citizens in that municipal town; and, whatever activity the municipality is engaged in directly and indirectly, more often directly than otherwise goes to the benefit of the citzen whose land is acquired by the Municipality.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): If all that a person owns within a municipal town is acquired by the Municipality, how will he get any benefit out of it?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I shall try to clear the doubt raised by my friend. Suppose at Chinnakada or some other part of Quilon, the Municipal Council wants to acquire lands for opening a market. That will directly benefit the whole town including the person who parts with his land in that particular locality. It is in that way that this Bill has to be viewed. My submission is that all that is done by a Municipality in pursuance of a town-planning scheme is sure to confer equal benefits upon all its citizens, not in that vague and general way in which the activities of Government benefit the citizens who part with their lands under the Land Acquisition Regulation, but in a *direct* way. Probably, it is this difference that has led the framers of similar laws in other countries to make a distinction in the case of Town-Planning Acts alone.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I do not think I have made myself clear. Suppose a land-owner parts with his land for the purpose of a town-planning scheme. Once his only property within the town has been acquired, what benefit can he get?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*); That is an evil which cannot be remedied. It is an instance of an individual making a sacrifice for the sake of the community.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Sir, I beg to support the amendment of Mr. Govindan. The principle underlying the payment of an extra 15 per cent. under the Land Acquisition Regulation applies with equal force to the acquisitions under this enactment. It is a sort of *solatium* that is paid to the owner of land in consideration of the compulsory nature of the acquisition. I would, therefore, strongly support the amendment brought forward by Mr. Govindan.

MR. J. S. WESTERDALE (*Chief Engineer*) : Sir, I rise to oppose the amendment. In this case, a fundamental principle is involved. The necessity for town-planning is in pursuance of a principle. And that is, that the Municipality must be given assistance, by law, in every way, to facilitate the preparation and passing of town-planning schemes. What is the essential assistance that is required in this connection? It is the acquisition of land. It is for this fundamental reason that special powers are sought to be given, by the Town-Planning Bill, to the Municipalities. Any benefit or return secured by the Municipality by this provision in the Bill will go to reduce the cost of this scheme. That is the main basis of the provision. The other important principle involved in this provision is that legislation proposed should prevent inflation of values when a town-planning scheme is prepared. That is intended to protect the Municipality against speculation. This point is simply incidental to the general principle, namely that town-planning schemes should be as cheap as possible and that the people of the town must be prepared to sacrifice their personal interests to a small extent for the sake of the people of the town as a whole.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : I seconded this amendment; and I wish to know from the Chair whether I have a right to speak on this motion.

DEPUTY PRESIDENT : I allow you to speak.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : I wish to speak a word or two in support of the amendment before the House. I grant that people living in towns ought to make a sacrifice for the common benefit that they derive owing to the introduction of the town-planning scheme. My position is that, when a man surrenders, sometimes the only piece of land that he possesses, sometimes his family property with a lot of sentiment around it, whatever be the price that he may get, he does make a sacrifice. Ordinarily, I will not for a moment allow my family house being taken away from me or my place of worship in my family house being shifted from there. It is not a small matter for a man to be deprived of his land be it for the common benefit, to be deprived of his holding, often times his only holding, and that without extra compensation. Sometimes, he may have to leave the limits of the town which is going to be benefited by such acquisition. He may have to put up a new building which may involve heavy expenditure and which may be assessed heavily on the principles enunciated by the Chief Engineer. The putting up of a new building now and in days to come is sure to cost heavily since the cost of labour has increased. It will be only equitable under such circumstances to allow some extra compensation to the owner. I am not for insisting on the *solatium* provided in the Land Acquisition Act. I think some extra contribution at least must be given to the owner. It is only fair and equitable.

With these words, I support the amendment.

MR. P. S. MAHOMED (*Nominated*): മിസ്റ്റർ ഗോവിന്ദൻ ഇവിടെ ഹാജരാക്കിയ അമൻറമെൻറിനെ ഞാൻ എതിക്കുന്നു. മുനിസിപ്പൽ അതൃത്തിക്കകത്തുള്ള ഒരു സ്ഥലം മററൊരാം വിലയ്ക്കു വാങ്ങിക്കുമ്പോൾ കൊടുക്കുന്ന തുകയെക്കാൾ കൂടുതലായ ഒരു സംഖ്യ പൊതുജനങ്ങളുടെ ഗുണത്തിനുവേണ്ടി ഒരു സ്ഥലം വിടുന്ന സന്ദർഭത്തിൽ ആഗ്രഹിക്കുന്നതു് ശരിയല്ല. ലാൻറ് അക്വിസിഷൻ റൂൾസ് അനുസരിച്ച് ഒരു സ്ഥലം വിലയ്ക്കു എടുത്താൽ അതു് മാക്കററ്റേററ് അനുസരിച്ചുള്ള വിലയെക്കാൾ കവിഞ്ഞിരിക്കുകയല്ലാതെ ഒരിക്കലും കറവായി വരികയില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): വില കവിഞ്ഞുപോയാൽ അതിനേപ്പററി ചോദ്യമില്ലെ?

MR. P. S. MAHOMED (*Nominated*): ഏതായാലും ശരിയായ വില കിട്ടുമെന്നുള്ളതിന് സംശയമില്ല.

പൊതുജനങ്ങളുടെ ഗുണത്തിനുവേണ്ടി വിലയ്ക്കെടുക്കുന്ന ഒരു സ്ഥലത്തിനു വില കൂടുതൽ വേണമെന്നു ആ ടൌണിൻെറ അകത്തുതന്നെ താമസിക്കുന്ന ഒരാൾ ആവശ്യപ്പെടുന്നതു് ശരിയല്ല. ഈ സംഗതി വേറൊരാളാണ് പറഞ്ഞു എങ്കിൽ തരക്കേടില്ല. ജനങ്ങളുടെ ഗുണത്തിനുവേണ്ടി പ്രവൎത്തിക്കുന്നതിനു ഒരു സ്ഥലം എടുക്കണമെന്നു വിചാരിക്കുമ്പോൾ അവർ ചെയ്യുന്ന പ്രവൃത്തിക്ക് അവർതന്നെ മറെറാരുഭാഗത്തുനിന്നും കൂടുതൽ വേണമെന്ന് ആവശ്യപ്പെടുന്നതു നീതിക്കു വിരുദ്ധമാണ്.

MR. M. GOVINDAN (*Nominated*): ഗവണ്മെൻറു പ്രവൎത്തിക്കുന്നതു് ആരുടെ ഗുണത്തിനുവേണ്ടിയാണ്?

MR. P. S. MAHOMED (*Nominated*): ഗവണ്മെൻറ് ജനങ്ങൾ പ്രവൎത്തിക്കുന്ന രീതിയിലല്ല പ്രവൎത്തിക്കുന്നതു്. ഇതു ജനങ്ങളുടെ ഗുണത്തിനുവേണ്ടി ജനങ്ങൾതന്നെ പ്രവൎത്തിക്കുകയാണ് ചെയ്യുന്നതു്. അങ്ങിനെ ചെയ്യുന്ന സന്ദർഭത്തിൽ കൂടുതൽ ലാഭം വേണമെന്നു പറയുന്നതു് നീതിപൂർവ്വമല്ല. ഇതു് പൊതുവെ ജനപ്രതിനിധികളെസംബന്ധിച്ചിടത്തോളം ഇന്ന് വീക്ഷിച്ചുകൊണ്ടിരിക്കുന്ന നയത്തിനു യോജിച്ചതുമല്ല. അതുകൊണ്ടാണ് മദ്രാസിൽ ഈ സംഗതി ഉപേക്ഷിച്ചിട്ടുള്ളതു്.

MR. S. KRISHNA PILLAI (*Karunagapalli*): മുൻസിപ്പാലിററിക്ക് വെളിയിലുള്ള സ്ഥലംകൂടി എടുക്കാൻ ഇതിൽ പ്രൊവിഷൻ ഉണ്ടെന്നു മെമ്പർ്ക്കറിയാമൊ?

MR. P. S. MAHOMED (*Nominated*): അറിയാം.

MR. S. KRISHNA PILLAI (*Karunagapalli*): അങ്ങിനെയാണെങ്കിൽ മെംബറുടെ ഈ സമാധാനം മതിയാകുമൊ?

MR P. S. MAHOMED (*Nominated*): മുനിസിപ്പാലിററിക്കവെളിയിൽ സ്ഥലം എടുക്കേണ്ടയാവശ്യമില്ല.

ടൌൺ പ്ളാനിംഗ് സ്കീം അനുസരിച്ചാണ് സ്ഥലംഎടുക്കുന്നതു്. അതിലേയ്ക്കു ടൌണിനകത്തുള്ള സ്ഥലം മതി. മുനിസിപ്പൽ അതൃത്തിക്കകത്തു്നിന്നും ഒരു സ്ഥലം എടുത്താൽ അതുകൊണ്ടുള്ള ഗുണം ആ അതൃത്തിക്കകത്തുള്ള വക്കെല്ലാവക്കും കിട്ടുന്നതാണ്.

MR. M. GOVINDAN (*Nominated*): മദ്രാസിൽ അല്ലാതെ വേറെ എവിടെ എങ്കിലും ഈ സംഗതി ഉപേക്ഷിക്കപ്പെട്ടിട്ടുള്ളതായി അറിയാമൊ ?

MR. P. S. MAHOMED (*Nominated*): മററു സ്ഥലങ്ങളിലുള്ള സംഗതി ഞാൻ നോക്കിയിട്ടില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): മിസ്റ്റർ ഗോവിന്ദൻ ഹാജരാക്കിയ അമൻറുമെൻറിനെ ഞാൻ അനുക്രലിക്കുന്നു. മുനിസിപ്പൽ അതൃത്തിക്കകത്തു താമസിക്കുന്നവരെല്ലാം വലിയ പണക്കാരാണെന്നാണ് ഇവിടെ നിർദ്ദേശിച്ചിരിക്കുന്നതു്. മുനിസിപ്പൽ അതൃത്തിക്കകത്തു് താമസിക്കുന്നവർ ആവശ്യപ്പെടാത്ത സൗകര്യങ്ങളും കൂടി ഉണ്ടാക്കിക്കൊടുത്തിട്ട് അവരിൽനിന്നും കൂടുതൽതുക കരമായിട്ടും ചുങ്കമായിട്ടും മുനിസിപ്പാലിററിയിൽനിന്നും ഈടാക്കി വരുന്നുണ്ടു്. ഞാൻ ആവശ്യപ്പെടാത്തതാണെങ്കിലും എനിക്കു കൊടുക്കാൻ ശേഷി ഇല്ലെങ്കിലും ഞാൻ കൊടുത്തെതീരു എന്നാണ് മുനിസിപ്പൽ നിയമത്തിൽ കാണുന്നതു്. ഞാൻ താമസിക്കുന്ന സ്ഥലം മുൻസിപ്പൽ അതൃത്തിക്കകത്താണെങ്കിൽ എന്നിൽ നിന്നും തുക ഈടാക്കി എടുക്കുന്നതിനും മുനിസിപ്പൽ നിയമം അനുസരിച്ച് അധികാരം ഉണ്ടു്. ഞാൻ താമസിക്കുന്ന ഒരു ചെറിയസ്ഥലം എനിക്ക് കൊടുക്കേണ്ട ആവശ്യമില്ലാതിരിക്കുമ്പോഴും നിർബന്ധമായിട്ട് എൻെറ വസ്തുകൊടുക്കണമെന്നുള്ളതാണ് ഇതിൽ വന്നിരിക്കുന്നതു്. ഈ സ്ഥലം ഞാൻ കൊടുക്കുന്നു എങ്കിൽ വേറൊരുസ്ഥലം അന്യനിൽനിന്നും എനിക്ക് വാങ്ങിക്കേണ്ടിയിരിക്കുന്നു. അതിനു മുനിസിപ്പാലിററിയിൽനിന്നും നിശ്ചയിക്കുന്നവില മതിയാകുകയില്ല. അതിനു വസ്തുഉടമസ്ഥൻ നിശ്ചയിക്കുന്ന വിലതന്നെ കൊടുക്കണം. ഇപ്പോഴും കൂടുതൽ കൊടുക്കുന്നതിന് നിശ്ചയി

ച്ചിട്ടുള്ള ൧൫ ശതമാനം ഈ വസ്തുഉടമസ്ഥന് സൌജന്യമായികൊടുക്കുന്നതല്ല. ഗവണ്മെൻറ് നിശ്ചയിക്കുന്നവിലയെക്കാൾ ൧൫ ശതമാനമൊ ൨൦ ശതമാനമൊ കൂടുതൽ കൊടുത്താൽ മാത്രമെ വേറെസ്ഥലം വാങ്ങിക്കാൻ സാധിക്കുകയൊള്ളൂ. ടൌണിനകത്തുള്ള സകല സൌകൎയ്യങ്ങളും ഉപേക്ഷിച്ച് വെളിയിൽ എവിടെ എങ്കിലും പോയി അവിടത്തെ വസ്തു ഉടമസ്ഥൻ പറയുന്നവിലകൊടുത്തു് വസ്തുവാങ്ങിക്കേണ്ടിയിരിക്കുന്നു. സംഗതികൾ ഇങ്ങനെയിരിക്കുന്നതിനാൽ നൂററിന് ൧൫ വീതംകൊടുക്കേണ്ട എന്ന് പറയുന്നതു് ഒട്ടും ന്യായമല്ല. ഗവൺമെൻറിൽ നിന്നും എടുക്കുന്നതുകൊണ്ടു കൊടുക്കണമെന്നും മുനിസിപ്പാലിററിയിൽ നിന്നും എടുക്കുന്നതുകൊണ്ടു് കൊടുക്കാൻപാടില്ല എന്നും പറയാൻ പാടില്ല. ഗവണ്മെൻറിന് അധികാരമുണ്ടു്; കൊടുത്തില്ലെങ്കിൽ എടുക്കുമെന്നറിയാം; വസ്തു ഉടമസ്ഥൻ നിശ്ചയിക്കുന്ന വില കിട്ടണമെന്ന് പറയാൻ അയാൾക്ക് അധികാരമുണ്ടു്; എന്നിരിക്കെ ആ അവകാശം എടുത്തു കളഞ്ഞിട്ടു മുനിസിപ്പാലിററിയിൽനിന്നുംതീരുമാനിക്കുന്നവില പററിക്കൊള്ളണമെന്നു നിശ്ചയിക്കുന്നതു് ന്യായമല്ല. നൂററിന് പതിനഞ്ചു വീതംഎങ്കിലും കൂടുതൽ കൊടുത്തുതന്നെ വസ്തുക്കൾ വിലയ്ക്കെടുക്കണമെന്നുള്ള അമൻറുമെൻറിനെ ഞാൻ അനുകൂലിക്കുന്നു.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): I am inclined to support the amendment before the House. The only Regulation which provides for compulsory acquisition of land for public purposes is the Land Acquisition Regulation; and that provides 15 percent., over and above the market value of the land being paid to the owner of the land. The enforcement of the provisions of this Bill would do the owner of the land double injury. He would have to remove his family residence from the town; and he is to be paid only the bare price of his property when he is really not in need of selling it, when he is compulsorily deprived of it. I therefore support the amendment now before the House.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): I wish to oppose the amendment. From the mere fact that the Government is prepared to give 15 per cent. in excess of the market value it does not follow that a municipality also should pay the excess to the owner of the land when the municipality acquires it. It may be a mistake made by the Government out of respect for the right of private propertry to have agreed to pay this excess of 15 per cent., to the owners of private property when their property is acquired. Government is always bound to respect the rights of private parties. But the question is different in the case of municipalities which are self-governing bodies.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I hope the member would concede that it would be equitable to nationalise property.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Yes. The tendency of the world is towards that.

If municipalities are going to be benefited by town-planning schemes and if town-planning is necessary for the welfare of the town, I do not know why any person should be given any excess over and above his due. Market value is the proper value, and any man has a right to get that. Why should 15 per cent., in excess of that be given to any owner of land? I cannot understand that. Moreover, when the Government acquire land, such acquisition may not directly benefit the owner who parts with the land or the people of the locality. Supposing a site in a town is selected for the purpose of a T. B., it is not going to benefit the people of the town in any way. Occasionally, an officer may come and stay there for some time and go away. That is not the case with acquisitions for town planning. They are sure to benefit the people of the town directly. So, I do not see why a solatio should be given to the land owner in the town.

Another difficulty is that 15 per cent. excess payment will be so great a sum that very few Municipalities in the State can afford to pay. Already they are very poor and if they are asked to pay 15 per cent. *in excess* of the market value for every piece of land they have to acquire, I think none of them will work out this town-planning scheme. It will be a financial impossibility for them to carry out any scheme which involves such heavy expenditure. If the improvement of our towns is considered necessary for the health of the people of the State as a whole, I think that such extra-leniency should not be shown to the land owners within the towns. I therefore oppose the amendment.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Sir, in supporting the amendment, I have to bring to the notice of this House one or two facts in addition to those that have already been stated by other members. The Law member who opposed the amendment advanced only one reason, or rather advanced one important reason, *viz.*, that the Municipal Councils are self-governing institutions, that lands are acquired within the Municipalities for the beneficial enjoyment of all those who are living within the municipal limits, and that therefore, as a matter of course or as a matter of justice, the Municipalities ought not to be called upon to contribute a further percentage out of their municipal funds in addition to the real value of the lands. I am not in a position to appreciate fully the wealth of reasoning contained in that argument. Under the Land Acquisition Regulation, lands are ordinarily acquirable only for public purposes; and public purposes are defined in the Regulation. Government who acquire lands under the Land Acquisition Regulation are as much responsible to the people, from whom they collect money, as the Municipal Councils of the State. If the Government collect revenue from the people, it is only for the purpose of expending it for their benefit. Government do not exist apart from the people or those who contribute revenue to the Government. Similarly, a Municipal Council has got certain public functions to discharge. It has also been brought into existence for the purpose

of serving the people. So, the public utility of the institution, I suppose, will not be any justification for claiming a preferential treatment.

My second difficulty in regard to this is, this Municipal Council being a self-governing institution, the Law Member thinks that everybody living in this country should have some fondness for that institution and should sacrifice some little of his privileges and rights for the up-keep or pubringing of this institution. Section 7 of the Town-Planning Regulation says that it is not only the area within the Municipality that could be so acquired, but that the area outside could also be acquired. I can understand that there is perhaps, some reason in saying that a landowner living within the Municipality is bound to make some little sacrifice But what about the land-owner living outside the Municipality? My friend, Mr. P. S. Mahomed, stated that he is a neighbour and therefore he would also be benefited to some extent like people living within the Municipality. I do not suppose that the Municipalities are capable of entertaining neighbours and spending money for their benefit. It will be *ultra vires* of the Municipality to extend its charity to neighbours. Therefore, the plea that a Municipal Council is a self-governing institution supported by contributions made by the people and that the land-owner ought to sacrifice fifteen per cent. which he would otherwise be entitled to, is not an argument which can be supported.

Another point that I have to bring to the notice of the House is, that every law is promulgated for the purpose; in the first instance of individual rights and liberties. Whenever a law is enacted for a body of people, greater attention is bestowed upon individual rights. The law must always see that, as far as possible, it does not interfere with individual and private rights. When public convenience demands that such individual rights have to be interfered with, adequate compensation ought to be made to that individual whose rights are infringed. It is, I believe, in virtue of that aspect of law that the Land Acquisition Regulation provides that 15 per cent. of the market value, should be given to the person who is compulsorily deprived of his property. You will find that the Land Acquisition Regulation is the only Regulation of its kind which empowers the Government to deprive an owner of his land. But for that Regulation, the ownership of land is absolute and can be protected against everybody else in the world. It is because he would be deprived of that right that the law says that, as compensation, he shall be given 15 per cent. in addition to the fair value. What is fixed as the market value of the property may or may not be the fair value of the property. One member here suggested that it will always be in excess of the fair value of the property. I am afraid there have been instances in which the market value of the property fixed under the Regulation has been fixed very low. In the majority of cases it is so. Whatever that may be, the reason for the award of this 15 per cent. is a very sacred reason, *viz.*, that a person is deprived, against his will of his right of preserving or conserving or protecting his property as against

[Mr. S. Krishna Pillai.]

the entire world. That is an individual right, and that right is interfered with under the Land Acquisition Regulation. The same interference is sought to be made by the Town-Planning Regulation also; and in the eye of law. I am unable to see any difference between these two Regulations in this matter. In both cases it is an interference by a constituted authority under a law. It is an interference of a vested right which, but for the passing of this Regulation, would be unlawful or illegal. Since a vested right is sought to be interfered with the owner must be fully and amply compensated for. If a Municipality cannot exist without the bounties or without the charity from individual persons living within the Municipality, I think that Municipality has absolutely no reason to exist. Mr. Gopalakrishna Pillai stated that if the Municipal Councils were asked to pay a 15 per cent. contribution in addition to the market value of the property, they would be unable to put into force the provisions of the Regulation. I am afraid that, if there is a Municipal Council in the State that is unable to pay in spite of the funds to be raised under the Town-Planning Regulation 15 per cent. more than the market value for lands acquired by it, I think that Council has absolutely no reason to complain that it is not in a position to bring into force the provisions of this Regulation. The poverty of a Municipality should not be urged as a ground for depriving an individual of this private right. No sound reason appears to have been urged in opposing this amendment, and I am fully in agreement with my friend Mr. Govindan that the clause should be amended on the lines suggested by him. If the amendment is not made, I am certain it will work hardship.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I wish to draw the attention of the Council to the conduct of one of the members of the staff who has placed on my table a book entitled the "Legislative Council Proceedings" signed by one Mr. K. P. Visvanatha Aiyar, who calls himself "Secretary to the Legislative Council". I do not know whether it is an authorised publication; because I know of only Mr. P. Visvanatha Aiyar, Secretary to the Legislative Council. I do not know who this Mr. K. P. Visvanatha Aiyar is.

DEPUTY PRESIDENT: There is the assurance from the Secretary himself that it is an authorised publication.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): There is no reason why a vendor should be asked to forego the solatium of 15 per cent. simply because the Municipality happens to be the purchaser. Sir, the argument advanced by Mr. E. V. Krishna Pillai in opposing the amendment, was that the Municipality exists solely for the benefit of those residing within its limits. In regard to that point I may submit that I beg to differ from him. According to me, every Municipality exists as much for the citizens resident within its limits, as for others who resort to it as occasions need. From a book I recently read about municipal administration in America, I learned that the view generally held in that country in regard to municipal administration,

is that Municipalities exists not only for those within the municipal limits but for the country as a whole. That is the opinion prevailing in countries more civilised and advanced than Travancore and that is the basic principle on which the Government contribute, out of the general revenues of the State, towards the maintenance of Municipalities. My submission therefore is that there is no reason why, simply because a Municipality purchases a particular property, the owner should be deprived of the solatium which he would have been given if the Government happened to be the purchaser. For example it cannot be said, that when a Municipality acquires land for opening a road leading within the municipal limits, the benefit of the road is derived solely by the residents of the Municipality. The road is as useful for them as it is for those out side who make use of it though usually they do not reside in the Municipality. Therefore, Sir, viewing the question in its broader aspect I am of opinion that this solatium should not be withheld simply because a Municipality happens to be the purchaser. With these observations, I support the amendment.

MR. M. GOVINDAN (*Nominated*) In rising to reply to the observations made in respect of my motion, I have to thank Mr. S. Krishna Pillai for the able speech in which he met all the arguments advanced against it; and there is very little remaining for me to answer. My friend, the Law Member, practically agreed with me in regard to the principle that there is hardly any difference between the acquisition of land by the State and the acquisition of land by the Municipality. The only difference is that, in the case of the Municipality, the geographical limits happen to be narrow, while those of the State are larger. In principle, both are identical.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is there only geographical difference between the functions of the Municipality and those of the State?

MR. M. GOVINDAN (*Nominated*) : We are not now at the functions of the Municipality. The question now raised is about the benefits derived by the people by Municipal administration, as compared with the administration by Government. And, I say, both are intended for the good of people. The extent of public good in the case of Municipality is confined to the municipal limits, whereas, in the case of Government, it is extended to the whole State. My friend, Mr. E. V. Krishna Pillai, had to resort to an illustration from Chinnakadai market and the construction of the Executive Engineer's Bungalow there for the argument. Why not my friend take the illustration of the acquisition of land for a hospital? That illustration would not have been in favour with the *sentiment* that he wanted to rouse in the House.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Does my friend want me to give illustrations in support of *my* position or *his*?

MR. M. GOVINDAN (*Nominated*) : My friend wanted to stimulate the *sentiment* of the House against my amendment. He did not want to argue logically. That is all that I have to submit; and I have absolutely no quarrel with him in his going to *Chinnakadai* or to any other *Kadai* for an illustration in support of the argument.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): My friend suggested that the functions of the State and that of the Municipality are identical.

MR. M. GOVINDAN (*Nominated*) : I did not say so.

With regard to my friend who is sitting next to me, Mr. Gopalakrishna Pillai, with his well known views in favour of land-nationalisation he could not find it possible to support my amendment. I see, that consistent with his principles, this amendment could not be supported. But once we are to respect private property, my point is that that question does not arise. The time may come, at a distant future, when, in Travancore also, land-nationalisation might be adopted by the people. Probably it will be time then for us to with-hold the solatium. The whole State will then be one Municipality, and we will have nothing but nationalised land; and we need not respect private property. So, it is not possible for me to accept that position *now*.

I have only one word more with regard to the position of my friend Mr. P. S. Mahomed, the President of one of the premier Municipalities in the State. His position is that in all cases of acquisition of land the amount that is paid to the owner as price is always more than the real worth of the property. My friend Mr. S. Krishna Pillai has answered him most effectively. I am sure everybody in this House will agree that the Revenue Officers, who are to assess the market value of properties, do not err on the side of generosity towards the owners. That must be admitted by everybody; and it will be borne out by the number of cases pending in our civil courts about this matter.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) And, what do the courts do?

MR. M. GOVINDAN (*Nominated*); The courts hold the balance even. But, there are many injured people who are not able to resort to that costly machinery, I mean the courts of justice. One other point that I wish to emphasise is that, in Travancore, most of the land-holders are owners of single holdings, so that, if their property is acquired compulsorily, they would have to leave their native places and go elsewhere.

MR. J. S. WESTERDALE (*Chief Enginee.*) On a point of order, Sir. The member is now raising a new point. He is not replying to the points raised in the debate.

MR. M. GOVINDAN (*Nominated*) It *was* argued in this House that the owners of the properties acquired, were actually being paid more than what the properties were really worth. It is not a new point that I am raising.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Even apart from this particular instance, is not Mr. Govindan entitled to raise a new point now?

DEPUTY PRESIDENT : We will drop it. Mr. Govindan has answered Mr. Westerdale already.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : May I ask Mr. Govindan whether the sericusness of the objection to persons being compelled to leave their native villages or towns would vanish if they are paid adequate compensation, and if they are paid 15 per cent. *solatium?*

MR. M. GOVINDAN (*Nominated*) : My point is that the law on the point must be uniform in all cases. In the cases of acquisition of land outside the municipal limits, the owners are given the 15 per cent. *solatium*. Why should that be dropped simply because the Municipality happens to be the purchaser? I respectfully submit, for the consideration of the House, that it would be a very serious hardship if the owner of the property, who is *compelled* to part with his holding, is not given the *solatium* of 15 per cent.

Mr. Westerdale said—if I heard him aright—that the amendment is likely to lead to speculation. I submit there is absolutly no speculation ,no room for speculation in this matter, well defined by law. 15 per cent. is a specific proportion. I fail to understand how speculation would arise from this. This principle has already been accepted in the case of the Land Acquisition Regulation without danger of speculation. I therefore submit that there is no fear of speculation in this case either. With these words, I press the amendment.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : Does the member realise that the amendment will be a sort of check on the indiscriminate exercise of compulsion in the matter of acquisition by the Municipalities?

MR. M. GOVINDAN (*Nominated*): Yes, quite so.

But, it is not that aspect of the matter that has induced me to bring forward this amendment. My point is that it is a matter of bare justice that the owner, who is *compelled* to part with his property, that he should be given this *solatium*.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I can fully understand the point that the land acquired should be fairly valued, and that the owner must be paid adequate compensation for the loss that he is likely to sustain for parting with his property. But, I cannot understand that he should be paid something more in addition to the fair value of the property. The chief argument advanced in support of the argument is that a similar provision cccurs in the Land Acquisition Regulation.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : Is there not a similar provision in the Municipal Regulation also?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : We are now concerned with the law relating to town-planning. In regard to town-planning, as I have already pointed out, everywhere the law is as in the Bill now before the House. It is so in

[Mr. Kayalam Paramesvaran Pillai.]

Madras, and I believe also in England. Sir, this provision was carefully considered by the Committee. No doubt, there is some provision, like the one suggested by the amendment, in the case of land acquired by Government.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): As I have already pointed out, is there not a provision in the Municipal Regulation for the *solatium* being paid in the case of land acquired for municipal purposes? Is not the principle the same in this case also?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No; all acquisitions of land made by the Municipality need not necessarily be directly for the benefit of the citizens. For instance, land may be acquired by a Municipality for constructing a building for its office. That is not the case with town-planning. I do not see any reason why the owners of property should be paid anything more than what the properties are really worth merely because the acquisition happens to be compulsory.

The amendment was put to the vote and lost.

MR. M. GOVINDAN (*Nominated*): I demand a poll.

A poll was taken with the following result:—

AYES—19.

1	Mr. K. P. Abraham.	11	Mr. S. Krishna Pillai.
2	Mrs. Anna Chandi.	12	Mr. Tariatu Kunjitomman.
3	Mr. K. C. Chandi.	13	Mr. K. Kunjukrishna Pillai.
4	Mr. S. Chattanatha Karayalar.	14	Mr. K Madhavan Pillai.
5	Mr. A. S. Damodaran Asan.	15	Mr. K. P. Madhavan Pillai.
6	Mr. M. Govindan.	16	Mr. M. P. Madhavan Pillai.
7	Mr. N. John Joseph.	17	Mr. M. Mahomed Mustapha.
8	Mr. Joseph Kunju.	18	Mr. A. Narayana Pillai.
9	Mr. K. C. Karunakaran.	19	Mr. K. Padmanabha Panikkar.
10	Mr. N. K. Krishna Pillai.		

NOES—23.

1	Mr. R. Dhanukoti Pillai.	12	Mr. E. G. McAlpine.
2	Mr. K. George.	13	Mr. R. Nilacanta Pillai.
3	Mr. K. Gopalakrishna Pillai.	14	Mr. N. K. Padmanabha Pillai.
4	Mr. K. I. Kocheeppan Mappillai.	15	Mr. Kayalam Paramesvaran Pillai.
5	Mr. K. P. Kochukora Tarakan.	16	Dr. K. Raman Tampi.
		17	Mr. S. C. H. Robinson.
6	Mr. E. V. Krishna Pillai.	18	Mr. Rama Varma Raja.
7	Mr. K. Krishnan Nayar	19	Mr. R. S. Subrahmanya Pillai.
8	Mr. A. Kumara Pillai.	20	Mr. A. Thanu Pillai.
9	Rao Sahib Dr. N. Kunjan Pillai.	21	Mr. R. Vaidyalingam Pillai.
		22	Mr. P. Visvanatha Aiyar.
10	Mr. C. O. Madhavan.	23	Mr. J. S. Westerdale.
11	Mr. P. S. Mahomed.		

NEUTRAL—1

Mr. L. A. Lampard.

The question that clause 34 do form part of the Bill was put to the vote and carried. The clause was added to the Bill.

Clauses 35 to 43.

Clauses 35 to 43 of the Bill were put and carried.

The clauses were added to the Bill.

Clause 44.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I beg to move the following amendment:—

> In sub-clause (1), line 1, delete the word "When" and substitute the words "may with the consent of" for the words "after consulting" and in line 3, insert "and when they so decide" between the words "Board" and "they."

If amended as I now suggest, the clause would read thus:—

> "Our Government may, with the consent of the Municipal Council, decide that the interests of town-planning in any particular area will be best served by entrusting it to a special board, and when they so decide, they may, by notification in Our Government Gazette, constitute such a board, to be called "The (name of town or other area) Town-Planning Trust" hereinafter referred to as "the trust" and thereupon the duty of carrying out the provisions of this Regulation in such local area shall, subject to the conditions and limitations hereinafter contained, be vested in the trust."

The object of my amendment is to see that town-planning trusts are created by Government *only with the consent* of the Municipalities concerned. The Bill provides for the making of town-planning schemes and for bringing them into effect. Government may ask a Municipality to prepare a town-planning scheme; the Municipality may prepare it and when the scheme is approved by Government, it would be put into effect by the Municipal Council. Apart from such ordinary cases, the Bill also provides that town-planning trusts may be created in cases in which the Government consider that the constitution of such trusts would be better, for the working out of the schemes, than the Municipalities themselves. Sir, under the Bill, if such trusts are constituted, the Municipality would be practically superseded by the trust, in respect of town-planning. That will be the result of the creation of these trusts. Clause 49 of the Bill says:—

> "When a trust has been duly constituted the provisions of Chapters I to VIII of this Regulation shall, within the area entrusted to it, for town-planning purposes, apply in full as though the words "trust" and "chairman" of the trust" were substituted for "Municipal Council" and "Chairman of the Council or Chairman."

All the powers of the Municipal Council will be vested in the trust and all the powers vested in the Chairman of the Municipality will be vested in the chairman of the trust. In effect, the trust will take the place of the Municipal Council for purposes of town-planning. The question is whether the Government should have the power to bring into existence a trust like that without the consent of the Municipality concerned. My amendment seeks to provide that it shall not be possible for the Government to create any such trust without the consent of the Municipality concerned. What are the functions and

[Mr. A. Thanu Pillai.]

powers of these trusts? As I said, the Municipalities are actually superseded, in the matter of town-planning, by these trusts. A perusal of clause 45 will show that the constitution of the trust mostly rests with the Government. Government can fix the salary of the chairman. They can fix the bodies which are to elect representatives to form the elected majority in these trusts. Clause 46 provides that Government may remove any trustee and deal with the trusts in other ways also. Government may also direct the Municipality to make over any amount from the municipal funds to be spent by the trust. Clause 50 reads thus —

> "The Municipal Council in whose area a trust operates shall pay annually to the trust such amount as may be agreed on between them or as may be fixed by our Government."

When the trust has completed its work, when the object for which the trust was created has been achieved, the Municipality is bound to take over the results of the operation of the trust, with all the liabilities and assets. Even if the work of the trust has resulted in loss, the Municipality is bound, under this bill, to bear all such loss and liabilities. Sir, such are the provisions in relation to these trusts. Under such circumstance, is it beneficial, I ask, to vest the Government with the power to bring into existence such trusts, *without the consent* of the Municipalities concerned? That is the simple question that has to be answered in connection with my amendment. I say "No". The Municipal Council itself is composed mostly of the representatives of the rate-payers of the Municipality. Therefore, it may be presumed that the best men available would alone constitute these Municipalities and that they would take proper care of the interests of the inhabitants of these Municipalities. If a particular Municipality contends that the creation of such a trust would not be in the interests of the inhabitants of the locality, why should the Government be empowered to create such a trust to supersede the Municipality? No doubt, if really the constitution of such a trust would be for the benefit of the people, the Municipality would surely give its consent to the creation of such a trust. But, my point is that the Government should not be empowered to constitute such a trust quite *against* the wishes of the Municipal Council, composed as it is of the trusted representatives of the people of the locality who are to be directly affected by the labours of these trusts.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I ask the member, what is the provision, in regard to this matter, in the Town-Planning Act in force elsewhere, in Madras for example?

MR. A. THANU PILLAI (*Trivandrum*): The provision in Madras is, I admit, as in the Bill; but we need not always be guided by that. I may also draw the attention of my friend to the fact that, in Madras, the administration of self-governing institutions including Municipalities is in the hands of a Minister, *elected by the representatives of the people* and not in the hands of an officer appointed by Government. That point of difference, between Madras (and other places) and Travancore has to be borne in mind in considering this provision.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Under Clause 10 of the Bill, are not the Government empowered to compel a Municipality to formulate a town-planning scheme?

MR. A. THANU PILLAI (*Trivandrum*): Yes. I admit Government have also got the power to compel the Municipality to put the scheme into effect. Clause 10 says: –

"......Such requisition shall operate and be treated in every respect as a resolution passed by the council under Section 7 and the council shall, proceed as if by a resolution the council had decided to prepare the scheme."

The order of Government has the effect of a resolution of the council to prepare the scheme. I admit that.

MR. RAMA VARMA RAJA (*Edavagai*): I second the amendment. I do not know whether I will have time to-day to speak on the amendment.

DEPUTY PRESIDENT: We will now adjourn and meet again to-morrow at 11-30 A. M.

The Council adjourned at 5-3 P. M.

P. VISVANATHA AIYAR,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

(OFFICIAL REPORT.)

Saturday, the 23rd April, 1932/11th Medam, 1107.

The Council met in the Victoria Jubilee Town Hall, at Eleven thirty of the Clock, the President presiding.

The following member was absent:—

1. Mr. O. M. Thomas.

QUESTIONS AND ANSWERS.

Kuttanperur-Chengannur road.

189. **MR. RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state:

(*a*) whether they have received any petition from the inhabitants of Ennakad, Budhanur, Gramam and adjoining places, for taking over a road (which they have constructed) from Kuttanperur to Chengannur *via* Katanturimavu;

(*b*) if the answer to part (*a*) is in the affirmative, when the first application was received;

(*c*) the action they have taken on it; and

(*d*) if they have taken any action, the result thereof?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) No petition for taking over the road has been received. A petition for improving the road has been received. The road is already under departmental maintenance.

(*b*) to (*d*) These do not arise, in view of the answer to part (*a*).

MR. RAMA VARMA RAJA (*Edavagai*): ഈ റോഡ് ഗവൺമെൻറു മെയിൻറനൻസിൽ ഇരിക്കുന്നു എന്നു പറഞ്ഞു കാണുന്നു ഇതിൽ നിന്നും ആ റോഡു ഗതാഗതത്തിനു സൌകൎയ്യമായിരിക്കുന്നു എന്നാണൊ അൎത്ഥമാക്കേണ്ടതു്?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ഗവൺമെൻറുമെയിൻറനൻസിലിരിക്കുന്നു. ആണ്ടിൽ മൈയിലിനു ൧൦ രൂപാ വീതംമെയിൻറനൻസിനു അനുവദിച്ചിട്ടുണ്ടു്.

MR. RAMA VARMA RAJA (*Edavagai*) ഈ റോഡിനു് എത്ര മൈയിൽ ദൂരമുണ്ടു്?

MR. A. KUMARA PLILAI (*Ag. Secretary to Government*): നാലു മൈൽ ദൂരമുണ്ടു്.

MR. RAMA VARMA RAJA (*Edavagai*): മൈയ്യലിനു ൫൦ രൂപാ മെയിൻറനൻസിനു ചിലവാക്കുന്നതുകൊണ്ടു് ആ റോഡു ഗതാഗതത്തിനു സൌകൎയ്യമായിരിക്കുമോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ഇതു് ഒരു വില്ലേജ് റോഡിൻെറ സ്ഥാനത്തിലാണിരിക്കുന്നതു്.

MR. RAMA VARMA RAJA (*Edavagai*); ഈ റോഡ് ഗവണ്മെൻറിലേക്കു് എടുക്കുന്നതിനായി അപേക്ഷവന്നിട്ടുണ്ടെന്നു പറഞ്ഞു.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): അങ്ങനെ അപേക്ഷ വന്നിട്ടില്ല. ആ റോഡു നന്നാക്കണമെന്നു ഒരപേക്ഷവന്നിട്ടുണ്ടു്. ഗവണ്മെൻറു് അതിന്മേൽ നടപടി നടത്തിവരികയാണ്.

MR. RAMA VARMA RAJA (*Edavagai*): ഈ റോഡ് വളരെ അത്യാവശ്യമാണെന്നു ഗവണ്മെൻറിനറിയാമോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ഇപ്പോൾ ഈ റോഡു നന്നാക്കാൻ എസ്റ്റിമേററ് തയ്യാറാക്കിവരികയാണ്.

MR. RAMA VARMA RAJA (*Edavagai*): അധികം കാലതാമസം കൂടാതെ ഇതു നന്നാക്കാമോ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): റോഡു ബോർഡിൻെറ അഭിപ്രായത്തിനു അയച്ചിരിക്കയാണ്. അവരുടെ അഭിപ്രായം വന്നശേഷം ആലോചിക്കാം.

Miss Achy Eipe of the Women and Children's Hospital.

190 **MR. RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state:

(*a*) the college from which Miss Achy Eipe of the Women's Hospital took her M. D. degree;

(*b*) the University to which that college is affiliated; and

(*c*) whether the degree she possesses is a registrable one in the United Kingdom or Madras or anywhere in India?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) She studied in Rush Medical College and Michigan Medical School, Ann Arbor, Michigan.

(*b*) She took her degree from the Michigan University.

(*c*) The Registrar, Madras Medical Council, has stated that American Medical degrees are not included in the Schedule of the Madras Medical Registration Act, and that applications for registration from holders of diplomas and degrees not included in the Schedule of the Act, including the M. D. degree of the Michigan University, will be considered by the Medical Council individually. Miss Achy

Eipe has accordingly applied to the Registrar, Madras Medical Council, for registering her degree and the decision of the Council is awaited. Information is not available whether the degree in question is registrable in the United Kingdom or elsewhere in India.

MR. RAMA VARMA RAJA (*Edavagai*): മെഡിക്കൽ ഡിഗ്രി രജിസ്റ്റർ ചെയ്യാൻ മദ്രാസിലേക്ക് അപേക്ഷിച്ചിരിക്കുന്നു എന്നുപറയുന്നുണ്ട്. ഇങ്ങനെ അപേക്ഷിച്ചിട്ടു എത്ര കാലമായി ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : അതു സംബന്ധിച്ചുള്ള ഇൻഫർമേഷൻ ഒന്നും ഇവിടെയില്ല.

MR. RAMA VARMA RAJA (*Edavagai*) : സർവീസിൽ പ്രവേശിച്ചിട്ടു എത്ര കൊല്ലമായി?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ൧൧൦൯ ചിങ്ങത്തിലാണ് സർവീസിൽ പ്രവേശിച്ചതു്.

MR. RAMA VARMA RAJA (*Edavagai*) : ഇതുവരെയായിട്ടും രജിസ്റ്റേർഡ് ക്വാളിഫിക്കേഷനാണൊ എന്നുള്ളതിനു തീർച്ചവന്നിട്ടില്ലെ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): രജിസ്ട്രേഷനു അപേക്ഷിച്ചിട്ടുണ്ട്; മറുപടിവന്നിട്ടില്ല.

Effect of chemical manures on Demonstration Farms.

191 MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Will the Government be pleased to state;

(*a*) whether chemical manures are being used in the several. Demonstration Farms in the State:

(*b*) if so, with what results;

(*c*) whether they have been found injurious or useful;

(*d*) whether yearly reports about the success achieved or failures observed in the several Government Farms using those manures are being received and published; and

(*e*) if not, whether they will publish them for the information of the public?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Chemical manures are being used in the Government Farms.

(*b*) and (*c*) The application of chemical manures without the addition of organic manures injuriously affects the productive capacity of all types of soils, particularly those lacking in organic matter, but their application in combination with a small quantity of organic manures has yielded better results than either applied separately.

(*d*) Details of the experiments conducted with these manures in Government Farms are being published in the annual reports of the department.

(*e*) This question does not arise, in view of the answer to part (*d*) above.

Grant of monopoly of collecting and exporting shank shells to Mr. L. A. Netto.

192 **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) whether it is a fact that Mr. L. A. Netto of Valiaturai has been granted the monopoly of collecting, utilising and exporting shanks;

(*b*) if the answer to part (*a*) is in the affirmative, the terms of the grant;

(*c*) when the monopoly was given;

(*d*) why the monopoly was granted to him;

(*e*) whether it was as an auxiliary to the working of his Button Factory that the monopoly was granted;

(*f*) whether the factory is working now (17-4-1107);

(*g*) when Mr. Netto exported his last consignment of shanks;

(*h*) the income during the several years after the monopoly was granted;

(*i*) whether there are other applicants who would take the monopoly or contract for collecting shanks more profitably to the State;

(*j*) the officer charged with the duty of seeing to the proper use of the monopoly granted; and

(*k*) whether the shank collection and shank industry are now properly attended to?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) A copy of the agreement executed by Mr. Netto is available for perusal in the office of the Secretary to the Legislative Council.

(*c*) The monopoly was granted in 1094.

(*d*) Because the Government were satisfied with the terms offered by him.

(*e*) Yes.

(*f*) Yes.

(*g*) On the 8th Karkatakam 1106.

(*h*) The information is subjoined:—

Year.	*Royalty realised.*		
	Rs.	Chs.	C.
1094	185	0	0
1095	360	0	0
1096	175	0	0
1097	195	0	0
1098	125	0	0
1099	220	0	0
1100	280	0	0
1101	385	0	0
1102	442	14	0
1103	612	14	0
1104	1,125	0	0
1105	611	14	0
1106	50	0	0
Total	4,766	14	0

(*i*) A few persons applied for the grant of the monopoly on better terms, but the applications could not be entertained as the period for which Mr. Netto has been granted the monopoly has not expired.

(*j*) It is the duty of the Director of Industries to see that all the conditions relating to the working of the Button Factory are fulfilled by the lessee and the Director of Agriculture and Fisheries has to see to the proper fulfilment of the contract in respect of all the other matters.

(*k*) The shank industry has been greatly affected by the present economic depression. Dacca is the chief market for the Travancore shanks and there is not much demand for the article now. Hence the collection of shanks is not properly attended to.

MR. A. THANU PILLAI (*Trivandrum*): May I know why the information regarding the terms of the monopoly is not available here?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The agreement is with me here.

MR. A. THANU PILLAI (*Trivandrum*): May I know why it has not been made available to me here?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): It is with me.

MR. A. THANU PILLAI (*Trivandrum*): It is not in the answer. My question is why it has not been given in the answer, I wanted to know the terms of the agreement. The answer is "copy of the agreement executed by Mr. Netto is available for perusal in the office of the Secretary to the Legislative Council". Could not the information be made available in this answer, I ask?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The agreement is a lengthy one.

MR. A. THANU PILLAI (*Trivandrum*): May I at least know the main provisions? Has any royalty amount been fixed.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): May I know that?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Rs. 25 per thousand shanks.

MR A. THANU PILLAI (*Trivandrum*): Is there any minimum amount that the contractor should pay to Government?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Only Rs. 25 per thousand as royalty.

MR. A. THANU PILLAI (*Trivandrum*): So, the quantity to be collected and the sale are left entirely to the contractor?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No; it is not entirely left to the contractor.

MR. A. THANU PILLAI (*Trivandrum*): Is there any stipulation as to the quantity that he should collect or, is it entirely left to his discretion?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The quantity collected by the contractor will be checked by the Department, the number will be ascertained, and then Rs. 25 per thousand will be recovered from him as royalty.

MR. A. THANU PILLAI (*Trivandrum*) : That I understand. What I wish to know is whether there is any stipulation as to the minimum amount that he should pay to Government?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : There is no such stipulation in the agreement.

MR. A. THANU PILLAI (*Trivandrum*) : So, the contractor may or may not collect and sell at all, and need not pay anything to Government, if he so chooses? Am I to understand that under the terms of the agreement the whole matter is left to the contractor? May I know whether the contractor is at liberty to do any business in shank or not?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): According to the terms of the agreement, he is at liberty to do business in shanks.

MR. A THANU PILLAI (*Trivandrum*) : May I know what is the period of the contract?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Twenty years; there are only seven years more.

MR. A. THANU PILLAI (*Trivandrum*) : So, it is left to the discretion of the contractor for the whole period to do the business as he likes. Is that the purport of the monopoly?

MR. A. KUMARA PILLAI ((*Ag. Secretary to Government*) : It is not exactly like that.

MR. A. THANU PILLAI (*Trivandrum*): Is there any provision in the agreement that he should purchase shanks collected by others?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No.

MR. A. THANU PILLAI (*Trivandrum*): It is stated that, on the 8th Karkatakam 1106, he exported shanks. May I know to which place he exported them?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): To Dacca. That is the chief place of his market.

MR. A. THANU PILLAI (*Trivandrum*): May I know the number of persons who have applied for this monopoly?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): At the time it was granted no one else had applied for it?

MR. A. THANU PILLAI (*Trivandrum*) : No, after that.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I have no information about that. That is not known.

MR. A. THANU PILLAI (*Trivandrum*) : Was it sold in public auction?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No.

MR. A. THANU PILLAI (*Trivandrum*); Has there been any other application for this monopoly?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I am not aware of any.

MR. A. THANU PILLAI (*Trivandrum*): Have the Government received any complaint that the shank industry is not being properly developed on account of this monopoly which prevents others from taking up this business?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No.

Defalcation in the Chackai Railway Chowkey.

193. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*) Will the Government be pleased to state:

(*a*) whether there was any defalcation in the Chackai Railway *Chowkey* in 1106 to the extent of Rs. 15,000;

(*b*) whether any officer was deputed to investigate it, and, if so, the nature of his report; and

(*c*) the punishment meted out to the officer and the officer by whom the punishment was given?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) There was no defalcation. There was, however, a suspected loss of revenue to the extent of about Rs. 480.

(*b*) An Excise Inspector and a Sub-Inspector were deputed to check the accounts of the Chackai Railway Customs. On checking the accounts certain discrepancies in the weight of *beedi* tobacco assessed to duty were found and reported.

(*c*) Second Grade Sub-Inspector Mr. A. Paramesvaran Nayar who was responsible for the irregularities was ordered to pay up some of the short levies of duty observed on checking the accounts. He was also reduced by one step. The punishments were ordered by Mr. P. Gomatinayakam Pillai, the late Excise Commissioner.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the facts of the defalcation case in one or two short sentences?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Properly speaking, there is no defalcation. It was only a difference in weighment.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know, how?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The *beedi*, weighed by the Railway officials, was found to weigh less when it was weighed by the Customs authorities.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know how Government explain the word '*defalcation*'?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The member will kindly look into the Dictionary.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether there is a Dictionary in the Legislative Council Library?

PRESIDENT: Please stick to the point, Mr. Nadar.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): There may be a Dictionary in the Legislative Council Library.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether the punishment was according to the gravity of the crime?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Yes.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether it is desirable to retain that corrupt officer in that Department?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): There is no evidence that he was corrupt. For the irregularity he committed he has been punished.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know for what purpose he was punished?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): For committing that irregularity.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know that irregularity?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Difference in weighment.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the present designation of that officer.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): It is given in the answer to part (*c*).

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the name of the officer by whom the punishment was given?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That too is given in the answer.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether such light punishment is not likely to bring about multiplication of such defalcation cases?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I do not think the punishment is light.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know who punished that officer?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That also is given in the answer to part (*c*).

Manakudi-Rajakamangalam road.

194. MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether there was a proposal to construct a road between Manakudi and Rajakamangalam;

(*b*) whether the alignment of the said road is over;

(*c*) whether the proposed alignment is connected with Osaravila, Malananchan-Kudiyiruppu, Elantavila, Nainavur, Kilakrishnanputur, Melakrishnanputur, Pallam, Mangavila, Katamattivila and other villages;

(*d*) whether there was any provision therefor in the Budget for 1106;

(*e*) how long it will take to complete the work; and

(*f*) whether the work was a part of the larger scheme of having a continuous road along the sea-coast between Cape Comorin and Trivandrum?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) There is a proposal to connect the Manakudi road from near Puthalam with Rajakamangalam.

(*b*) The road is being dealt with in different sections. The section between Eathomboly and Rajakamangalam and the section from Eathomboly eastwards for 2½ miles have been aligned. The remaining length of the road is under investigation.

(*c*) The proposed road will pass through or near the villages mentioned by the member.

(*d*) Yes; but it was surrendered.

(*e*) This depends upon the availability of funds. There is only a grant of Rs. 500 this year which will be utilised for land acquisition.

(*f*) Yes.

Tariff value of products of the cocoanut palm.

195. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*): Will the Government be pleased to lay on the table a statement showing the tariff rates for the last 25 years on coir, copra, cocoanut oil and cocoanuts with their corresponding market rates?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): For information regarding the tariff rates for the last 25 years on copra, coir, cocoanut oil and cocoanuts, the member is referred to the *Travancore Almanac and Directory* for the respective years. Information regarding the market rates of the articles for the last 25 years is not available.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): May I know whether there is any relation between the tariff rate and the market rate?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): There is some difference between the two.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): My question is whether there is any relation, any ratio?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I claim notice.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): May I know what is the difference between the tariff rate and the market rate?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): For that too, I claim notice.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): How is the tariff rate fixed then?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I claim notice.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Is it done with reference to the market rate ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : I am not now in a position to answer that question either.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Am I to understand that the tariff rate is fixed arbitrarily ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : No.

Complaints against the administration of the Elangallur Swarupam.

196. **MR. M. P. MADHAVAN PILLAI** (*Tiruvalla*) : Will the Government be pleased to state :

(*a*) whether they have received complaints against the administration of the Elangallur Swarupam ;

(*b*) whether the citizens of Kallooppara and other pakuthies have made representations to the Government to take over the management of the Edavaga as the Edavaga authorities are oppressing the people ; and

(*c*) whether they are aware that payment of tax in kind is insisted on by the Edappalli Chief even now (Vrischigam 1107) ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : (*a*), (*b*) and (*c*) Yes.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*) : എളങ്ങല്ലൂർ സ്വരൂപത്തിലെ ഭരണത്തെ സംബന്ധിച്ച് കല്ലൂപ്പാറപകുതിയിൽ നിന്നും പരാതി കിട്ടിയ ശേഷം ഗവൺമെന്റിൽ നിന്നും എന്തെങ്കിലും അന്വേഷണം നടത്തിയിട്ടുണ്ടോ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : കഴിഞ്ഞ ആണ്ടിൽ ഇതിനെ സംബന്ധിച്ച് ഒരുത്തരവു പാസായി. അതിനു ശേഷം അസംബ്ലിയിൽ നിവേദനങ്ങളുണ്ടായിരുന്നു. ദിവാൻജിഅവർകൾതന്നെ സ്ഥലത്തുചെന്നു ചീഫിനെ കണ്ടുസംസാരിച്ചിട്ടുണ്ട്.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*): ഇതിൽ നിന്നും എന്തെങ്കിലുംപ്രയോജനമുണ്ടായൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): പ്രയോജനമുണ്ടായൊ എന്നു പറയാറായിട്ടില്ല. പരാതിയിന്മേൽ ന്യായമായി തീർച്ചചെയ്യണമെന്നു എഴുതിഅയക്കാൻപോകുന്നു.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*) : ഇടപ്പള്ളി സ്വരൂപത്തിന്റെമേൽ ഗവൺമെന്റിനു എന്തെങ്കിലും മേൽനോട്ടമുണ്ടോ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : മറ്റു ഇടവകകളെപോലെയുള്ള മേൽനോട്ടമെയൊള്ളു. ഇന്നതുചെയ്യണമെന്നു ഇടവകയെ നിർബന്ധിക്കാൻഗവൺമെന്റിന് അധികാരമില്ല.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*): ഇടപ്പള്ളി സ്വരൂപത്തിലേയ്ക്കു ചെല്ലേണ്ടകരം റവന്യൂറിക്കവറി റഗുലേഷൻ അനുസരിച്ചു ഗവണ്മെൻറു പിരിച്ചുകൊടുക്കയല്ലേ ചെയ്യുന്നതു്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അതെ

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*): അതിൽനിന്നും ജനങ്ങൾക്കു കൂടുതൽ ബുദ്ധിമുട്ടുണ്ടെങ്കിൽ അതിലേയ്ക്കു പരിഹാരമുണ്ടാക്കേണ്ടചുമതല ഗവണ്മെൻറിനില്ലേ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അതിലേയ്ക്കാണു ഗവണ്മെൻറു ശ്രമിച്ചുവരുന്നതു്.

Sale of immovable properties in the Kallooppara pakuthi for arrears of tax in 1106 and 1107.

197. **MR. M. P. MADHAVAN PILLAI** (*Tiruvalla*): Will the Government be pleased to state:

(*a*) how many items of immovable property in the Kallooppara pakuthi have been sold for arrears of tax in 1106 and in the first three months of this year (1107); and

(*b*) whether the Government, the Dewan Peishkar, Quilon, or the Revenue Commissioner, has received any complaint regarding the same, and, if so, what action has been taken on such complaint?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) Fifty-three items of immovable property of the Kallooppara pakuthi were sold for arrears of tax in 1106 and 62 in the first three months of 1107.

(*b*) The answer to the first part is in the negative; the second part does not therefore arise.

Correction of decrees in the District and Munsiffs' Courts.

198. **MR. S. KRISHNA PILLAI** (*Karunagapalli*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of applications received by each of the District Courts and Munsiffs' Courts in the State during the years 1100—1106 for correcting clerical and mathematical errors in decrees and judgments and for bringing the decrees into conformity with the judgments;

(*b*) the disposals of these during each of the years in the said period;

(*c*) the cost incurred by the parties during the period; and

(*d*) the total number of such applications that were allowed each year?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) to (*d*). Government do not propose to call for the information, as the time and

[Mr. K. George.]

labour involved in collecting the statistics is out of all proportion to its utility.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has this answer been given after consultation with the High Court?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know whether there is any separate register kept in the various Courts for making entries in regard to these applications?

MR. K. GEORGE (*Chief Secretary to Government*): The period for which information has been asked for is such a long one. If the member would reduce the period, the question of giving the information will be considered.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that it is a matter which deserves some little attention?

MR. K. GEORGE (*Chief Secretary to Government*): Yes. But the period for which the member wants the information is too long and the files to be taken and the records to be examined are so many that it would involve a good deal of time and labour.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that the High Court pay no special attention to this matter, in their annual report?

MR. K. GEORGE (*Chief Secretary to Government*): I do not know that.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know whether petitions have been received by Government in regard to this matter?

MR. K. GEORGE (*Chief Secretary to Government*): To recollect all the points of the representations that have been received is rather impossible. I know certain representations were made in the Assembly.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Then, why is it that the High Court say that the labour involved would not be commensurate with the utility?

MR. K. GEORGE (*Chief Secretary to Government*): The labour is enormous since the period for which information is asked for is too long.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member thereby imply that the number of applications for correction of decrees is too numerous?

MR. K. GEORGE (*Chief Secretary to Government*): I do not mean that; but the records have to be examined for six years.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does not the member know that it is very easy to find out these applications from the registers kept in the various Courts?

MR. K. GEORGE (*Chief Secretary to Government*): It requires the examination of the registers in all the Courts in the State for a period of six years. It requires perhaps even additional staff.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I point out to the member that there are applications for correction of decrees, and that it is therefore necessary, in the public interests, to examine the records and to give a satisfactory answer to this question?

MR. K. GEORGE (*Chief Secretary to Government*): That may be; but the difficulty is that the period for which the information is asked for is too long.

MR. S. KRISHNA PILLAI (*Karunagapalli*): The work, no doubt, will be enormous; but, in view of the allegations made, does not the member think that the enquiry on this matter has become a matter of public importance?

MR. K. GEORGE (*Chief Secretary to Government*): If the member will reduce the period, the question of furnishing the information will be considered?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member realise that any reduction of the period would not meet the requirements of the situation, because there are pending applications which are even twelve years old?

MR. K. GEORGE (*Chief Secretary to Government*): Even if the period is reduced it will surely bring out the point of the member.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Suppose, I reduce the period to three years; may I know whether I can get an answer to my question?

MR. K. GEORGE (*Chief Secretary to Government*): If it is two years I think we can ask the High Court to furnish the information.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Are the Government satisfied that the answer furnished by the High Court is correct?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, they are. That is why they have given the answer.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Did the Government ask for further particulars?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Did they simply accept the answer as it was sent by the High Court?

MR K. GEORGE (*Chief Secretary to Government*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member realise that the answer to this question would hold up the civil courts to public criticism?

MR. K. GEORGE (*Chief Secretary to Government*): It is a matter of opinion. I am not prepared to answer that question.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Suppose the number of applications for correcting clerical and mathematical errors in judgments and decrees is enormous. Would it involve civil courts in public disapprobation?

PRESIDENT: Please do not press that matter further.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I was only making myself clear with regard to my question. Does the member mean that no attempt has been made to ascertain the actual number?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Absolutely no attempt?

MR. K. GEORGE (*Chief Secretary to Government*): No.

Statement, by caste, of appointments made in the Electrical Department in 1105 and 1106.

199. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of appointments made in the Electrical Engineering Department in 1105 and 1106?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The statement * required by the member is laid on the table.

Average daily attendance of patients in the Vaikam District Hospital during 1105 to 1106.

200. **MR. A. NARAYANA PILLAI** (*Vaikam*): Will the Government be pleased to state the daily average number of patients, both in-patients and out-patients, who were treated in the District Hospital at Vaikam during the years 1105 and 1106?

MR. P. VISVANATHA AIYAR (*Ag Secretary to Government*):

		1105	*1106*
In-patients	...	15·45	18·95
Out-patients	...	215·41	298·32

MR. A. NARAYANA PILLAI (*Vaikam*): ആശുപത്രികളിൽ രോഗികളെ നോക്കുന്നതിനും മരുന്നു കൊടുക്കുന്നതിനുമായി സമയം വ്യവസ്ഥപ്പെടുത്തിയിട്ടുണ്ടോ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): സമയം വ്യവസ്ഥപ്പെടുത്തിയിട്ടുണ്ട്.

MR. A. NARAYANA PILLAI (*Vaikam*): ഇപ്പോൾ വ്യവസ്ഥപ്പെടുത്തിയിട്ടുള്ള സമയത്തിനുള്ളിൽ ഒരു ഡാക്ടർക്കു എത്ര രോഗികളെ പരിശോധിച്ചു ചികിത്സിക്കാൻ കഴിയുമെന്നറിയാമോ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അറിഞ്ഞുകൂടാ.

MR. A. NARAYANA PILLAI (*Vaikam*): ആശുപത്രി സമയത്തു പുറത്തു നിന്നും ആവശ്യക്കാർ വന്നാൽ ഡാക്ടർ പോകരുതെന്നു വല്ല നിർബന്ധവുമുണ്ടോ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ഇല്ല. അത്യാവശ്യമായിരിക്കയും വേറെ ചുമതലക്കാർ ആസ്പത്രി ജോലിനോക്കാൻ ഉണ്ടായിരിക്കയും ചെയ്താൽ പോവുക തന്നെ വേണം.

Grant of agricultural loans to the ryots of East Kalladai.

201. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

---

* *Vide* Appendix I—page 526.

(*a*) the number of applications for agricultural loans received by the Tahsildar of Quilon from the people of East Kalladai from Karkatakam 1106 to Vrischikam 1107;

(*b*) how many applications for agricultural loans were granted from Karkatakam 1106 to Vrischikam 1107;

(*c*) the total amount disbursed as agricultural loans in the Kalladai pakuthi from Karkatakam 1106 to Vrischikam 1107;

(*d*) whether they have received petitions for remission of tax, on the ground of loss by floods in Kalladai, from Karkatakam 1106 to Vrischikam 1107; and

(*e*) whether they have granted such remissions in the past?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) Six

(*b*) One.

(*c*) Bh. Rs. 100.

(*d*) The answer is in the negative.

(*e*) Yes, in the year 1099.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With regard to the answer to part (b), may I know whether the Government are satisfied that only one of these agricultural loans is granted to the ryots?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) There were six applications of which one was granted.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether Government are aware that East Kalladai is a place subjected to failure of crops?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the Government are aware of the nature of the disposal of these applications by the Tahsildar of Quilon?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*). I am not in a position to answer that question now.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*). May I know whether the Quilon Tahsildar finds it difficult to cope with the applications received by him?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Government are not aware.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether there is any such complaint against him?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Government are not aware.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether Government will enquire into the matter?

MR. P. VISVANATHA AIYAR (*Ag Secretary to Government*) Yes.

Distribution of staff and medicines for the District Hospitals.

202. MR. A. NARAYANA PILLAI (*Vaikam*): Will the Government be pleased to state:

[Mr. A. Narayana Pillai.]

(a) the basis on which District Hospitals are supplied with staff and medicines; and

(b) whether the number of patients who seek medical aid is a criterion?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (a) and (b). Staff is allotted to hospitals in reference to the population to be served, the number that usually resort to them for medical aid, the general healthiness or otherwise of particular localities, prevalence of epidemics and such other considerations. Medicines are supplied on indents from the respective Medical Officers, duly checked in the Stores with reference to previous supplies and the general requirements for a year.

MR. A. NARAYANA PILLAI (*Vaikam*): എ എ ം ന്ധ-ലെയ്ക്കുള്ള മരുന്നു മുഴുവനും അതാതു ആശുപത്രികൾക്കു കൊടുത്തിട്ടുണ്ടോ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): കൊടുത്തു കാണും.

MR. A. NARAYANA PILLAI (*Vaikom*): എന്നാണ് കൊടുത്തതു്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അറിഞ്ഞുകൂടാ.

MR. A. NARAYANA PILLAI (*Vaikam*). ഡാക്ടർമാർ കുറിക്കുന്ന മരുന്നുകൾ മുഴുവനും കൊടുക്കാൻ ആശുപത്രിയിൽ ഇല്ലാത്തതു കൊണ്ടു രോഗികൾ കഷ്ടപ്പെടുന്നു എന്നുള്ള വിവരം ഗവണ്മെൻറിനറിയാമൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അറിഞ്ഞുകൂടാ.

Improvements to the Tettiyar.

203. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): (1) Are the Government aware,

(a) that Tettiyar, an irrigation channel in the Trivandrum taluk was deepened and widened in its upper reaches by the Public Works Department, leaving the lower portion, down to the place where it empties itself into the Veli lake, narrow, shallow and silted up; and

(b) that numerous breaches have in consequence occurred in the banks of the lower portion of this canal causing damage to paddy cultivation?

(2) Will they be pleased to state whether it is proposed to widen and deepen also the lower portion of this irrigation channel?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (1) (a) Yes.

(b) Yes. Breaches occur as the lower portion is winding and narrow with weak bunds.

)2) Yes. It is proposed to take up the necessary investigation soon.

Loan for the State.

204. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*) : Will the Government be pleased to state :

(*a*) whether they propose to raise any loan by means of debenture bonds or otherwise ;

(*b*) if so, whether they propose to raise the same from inside the State or outside ; and

(*c*) whether they propose to take any loan from any temples in the State?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : (*a*) Government have already obtained a loan of B. Rs 10 lakhs from the private funds of His Highness the Maha Raja.

(*b*) and (*c*). The questions do not arise, in view of the answer to part (*a*).

Appointment of Honorary Medical Officers.

205. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*) : Will the Government be pleased to state :

(*a*) whether they are aware that the Madras Government appointed a committee to consider the question of revising the rules relating to Honorary Medical Officers and certain other matters ; and

(*b*) whether they are aware that the committee so appointed unanimously resolved that the designation "Honorary Sub-Assistant Surgeon" be discontinued and that the holders of the L. M. P qualification should be eligible for the same appointment and nomenclature as graduates in medicine?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : (*a*) Yes.

(*b*) Yes.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : In regard to the answer to part (b), may I know whether Government have considered the question of appointing Honorary Medical Officers?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : The question was answered last time when it was raised by the member in October 1931.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know what stands in the way of Government giving effect to this proposal at present ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : Government are not satisfied as to the necessity for the introduction of the system of Honorary Assistant Surgeons at present.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : My question is what prevents Government from giving effect to the scheme at present.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : There is, in the State, a large number of well-equipped hospitals with qualified staff and Government medical officers. Therefore, Government do not consider that the people now stand in need of any Honorary Surgeons.

Revision of status and pay of L. M. P.'s.

206. MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) whether they propose to revise the pay and status of the holders of L. M. P. qualification in Travancore Government service; and

(*b*) whether they propose to appoint Honorary Medical Officers in the Travancore Medical Department?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) No.

(*b*) Not at present.

Trivandrum Municipality.

207. MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): With reference to the Trivandrum Municipality, will the Government be pleased to state:

(*a*) the conveyance allowance and pay, respectively, of—

(i) the President; and

(ii) the Health Officer; and

(*b*) whether there is any officer under the Government drawing as permanent conveyance allowance what is allowed as such allowance to the President of the Trivandrum Municipal Council?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) (i) Conveyance allowance—Rs. 100 per mensem subject to the condition that the President maintains a motor car. The sanctioned pay of the appointment is Rs. 250-25-300. The present incumbent gets Rs. 300 + allowance Rs. 60.

(ii) Conveyance allowance—Rs. 75 per mensem subject to the condition that the Health Officer maintains a small motor car. The pay is Rs. 150-25/3-200. The present incumbent gets the maximum of the scale.

(*b*) No.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): In regard to part (*a*), may I know when the conveyance allowance was fixed at Rs. 100?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No information is available as to when it was sanctioned. It was conveyance allowance first; and now it is motor car allowance. It was fifty rupees first, and now it is Rs. 100.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether Government have ascertained that this officer has actually been maintaining a motor car, since he was given this allowance?.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): His certificate in the Bill shows that he is maintaining a car.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) In regard to part (*b*), may I know why this officer alone has been given the allowance which is not allowed to any other officer?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): In view of the importance of the town and the large amount of touring work he has to do in this town, he has been given this allowance of a hundred rupees.

Revenue Officer of the Trivandrum Municipal Council.

208. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) whether the chief object of the appointment of the Revenue Officer of the Trivandrum Municipal Council has been to detect leakage of revenue; and

(*b*) whether the Revenue Officer has detected any leakage of revenue during the years 1104 to 1106, and, if so, how much?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) The Revenue Officer is responsible for the proper assessment and prompt collection of all municipal taxes. He is also in charge of the account work of the office including check of vouchers, etc.

(*b*) Yes; but it is not possible to calculate the exact amount.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): With regard to part (*a*), my question is:

"whether the chief object of the appointment of the Revenue Officer of the Trivandrum Municipal Council has been to detect leakage in revenue"

In the answer, the Government have not denied that this has been the chief object of the appointment; they have simply enumerated the functions of the present officer. May I know whether the chief object of the appointment is to detect leakage of revenue?.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): That is only one of the objects. He has other functions also.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): With regard to part (*b*), the answer given is:

"but it is not possible to calculate the exact amount"

At the same time Government admit that one of the objects of the appointment is to find leakage in revenue?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There have been a few stray cases of leakage of revenue.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether even after knowing that there have been cases of leakage of revenue, the Municipality did not care to ascertain the amount of leakage?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There have been only a few stray cases of leakage. The exact amount is not now before me.

Appointment of members of depressed classes in the Electrical Department during 1105 and 1106.

209. **MR. N. JOHN JOSEPH** (*Nominated*): Will the Government be pleased to state:

(*a*) how many applications have been received from members of the depressed classes such as Cheramars and Sambavars for appointments in the Electrical Department during the last two years; and

(*b*) how many applicants were given appointments?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Three applications were received.

(*b*) None.

Drawing of bills for departmental expenditure by non-Gazetted Officers.

210. **MR. JOSEPH KUNJU** (*Changanachery* cum *Peermade*): Will the Government be pleased to state

(*a*) whether there is any rule that money can be drawn only on bills presented by Gazetted Officers ; and

(*b*) whether non-Gazetted Officers draw money required for departmental expenses on their own bills ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): (*a*) The rule is that bills for the salaries and allowances of officers and of their establishments and for miscellaneous or contingent expenses of offices can be drawn by responsible (mostly Gazetted) officers. (*Vide Article 26, Account Code*).

(*b*) A non-Gazetted Officer, while in charge of the duties of the Head of an office (a Gazetted appointment), draws money required for the expenses connected with his office on his own bills.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സ്വന്തബില്ലിന്മേൽ പണം വാങ്ങിക്കുന്നതിനു റസ്പോൺസിബിൾ ആഫീസർമാർക്കു മാത്രമെ പാടൊള്ളു എന്നു മറുപടിയിൽ കാണുന്നു. ഒരാഫീസർ റസ്പോൺസിബിളാഫീസറാണൊ അല്ലയൊ എന്നു നിശ്ചയിക്കുന്നതിനുള്ള തോതെന്താണ്?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): സാധാരണ ഗസറ്റഡ് ആഫീസർമാർക്കു മാത്രമെ അങ്ങിനെ പണംവാങ്ങിക്കാൻ പാടൊള്ളു. എന്നാൽ ചില സന്ദർഭങ്ങളിൽ നാൺഗസറ്റഡ് ആഫീസറായിരിക്കും ഗസറ്റഡ് ആഫീസരുടെ ചാർജ്ജ്‌വഹിക്കുന്നതു്. അങ്ങിനെ വരുന്ന സന്ദർഭങ്ങളിൽ നാൺഗസറ്റഡ് ആഫീസർക്കു സ്വന്തബില്ലിന്മേൽ പണം വാങ്ങിക്കാം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഗസറ്റഡ് ആഫീസരുടെ ചാർജ്ജ് ഉള്ളപ്പോൾ മാത്രമെ സ്വന്തബില്ലിൽ പണംവാങ്ങിക്കാൻ ഒരു നാൺഗസറ്റഡ് ആഫീസർക്കധികാരമൊള്ളൊ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അത്രയൊള്ളു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒരു നാൺഗസറ്റഡ് ആഫീസർ ഒരു ആഫീസ് മേധാവിയുടെ ചാർജ്ജ്‌വഹിക്കുമ്പോൾ അദ്ദേഹം അയക്കുന്ന ബില്ലിൽ വേറെ ആരെങ്കിലും കൌണ്ടർസൈൻചെയ്യണമെന്നു നിർബന്ധമില്ലെ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): നിർബന്ധമില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അതിലേയ്ക്കു എന്തുപ്രമാണമാണുള്ളതു്?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അങ്ങിനെയുള്ള സന്ദർഭങ്ങൾ വളരെ അപൂർവ്വമായിമാത്രമെ വരികയൊള്ളൂ. അപ്പോൾ അക്കൌണ്ടാഫീസറോ ഗവൺമെൻറാ പണം അനുവദിച്ചുകൊടുക്കും.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അക്കൌണ്ടുകോഡ് എന്നൊരു പുസ്തകമുള്ളതായിട്ടറിയാമൊ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അറിയാം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അതിൽ ആർട്ടിക്കിൾ ൻ ഠ:

"The pay and allowances of an establishment should be drawn by the Gazetted Officer in charge of it, but if the Officer in charge is not a Gazetted officer, the bill should be countersigned by a Gazetted Officer in control over him. ....'-

എന്നു കാണുന്നു. ഇതിൻെറ അൎത്ഥമെന്താണു്?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അതിൻെറ അൎത്ഥം മലയാളത്തിൽ പറയണൊ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മലയാളത്തിൽ പറയേണ്ട. ഒരു നാൺ ഗസറ്റെഡ് ആഫീസർ ആഫീസ് മേധാവിയുടെ ചാൎജ്ജ്വഹിക്കുമ്പോൾ അദ്ദേഹം അയക്കുന്ന ബില്ലിൽ അയാളുടെമേൽ അധികാരമുള്ള ഒരു ഗസറ്റെഡ് ഉദ്യോഗസ്ഥൻ കൌണ്ടർ സൈൻ ചെയ്യണമെന്നല്ലെ ഇതുകൊണ്ടൎത്ഥമാക്കേണ്ടതു്?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അദ്ദേഹത്തിൻെറ നേരെമുകളിൽ ഒരാഫീസരുണ്ടായിരുന്നാൽ അങ്ങിനെതന്നെവേണം. നേരെമുകളിൽ ആരുമില്ലെങ്കിൽ അതുവേണ്ട.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അങ്ങിനെ അക്കൌണ്ടു് കോഡിൽ എവിടെയാണു് പറഞ്ഞിരിക്കുന്നതു്?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഈ പറഞ്ഞ ആർട്ടിക്കിളിൽതന്നെ പറഞ്ഞിട്ടുണ്ടു്. ഗസറ്റെഡ് ആഫീസർ ഇല്ലാതെവന്നാൽ ഗവൺമെൻറിൻെറ യുക്തംപോലെ ചെയ്യാം. അതായതു അക്കൌണ്ടുകോഡിൽ ഇല്ലാത്തസംഗതി ഗവൺമെൻറിൻെറ യുക്തംപോലെ ചെയ്യാം. പണം പോകാതെ സൂക്ഷിച്ചാൽമാത്രം മതി.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): അപ്പോൾ അക്കൌണ്ടുകോഡ് പൂർണ്ണമായ ഒരു റിക്കാർഡല്ലെന്നാണൊ ഞാൻ മനസ്സിലാക്കേണ്ടത്?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): എല്ലാത്തിനും കോഡെഴുതുക എന്നുള്ളതു സാദ്ധ്യമല്ലല്ലൊ.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): അപ്പോൾ ഇതു അക്കൌണ്ട്കോഡിനു വിരുദ്ധമായി പ്രവൃത്തിച്ചതാണ് അല്ലെ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അല്ല. അതൊരഭിപ്രായവ്യത്യാസം മാത്രമാണ്.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): ആഫീസ് മേധാവിയുടെ ചാർജ്ജ വഹിക്കുന്ന നാൺഗസറ്റെഡ് ആഫീസർക്കു അയാളുടെമേൽ അധികാരമുള്ള ഏതെങ്കിലും ഒരു ഗസറ്റെഡ് ഉദ്യോഗസ്ഥനെകൊണ്ടു കൌണ്ടർസൈൻ ചെയ്യിക്കേണ്ടയൊ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): വേറെവല്ലിടത്തും‌പോയി ഒരു ഗസറ്റെഡ് ആഫീസരെ നോക്കേണ്ട ആവശ്യമില്ല.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): ഇങ്ങിനെയുള്ള ബില്ലിന്മേൽ പണം കൊടുക്കുന്നതു് ആർട്ടിക്കിൾ ൻ ൦ അനുസരിച്ച നിയമവിരുദ്ധമല്ലെ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അക്കൌണ്ടുകോഡിൽ അങ്ങിനെ കൊടുത്തുകൂടാ എന്നു ഒരുസ്ഥലത്തുംപറയുന്നില്ല. ഗവൺമെൻറിൻെറ യുക്തംപോലെ ചെയ്യാം.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*). കൊടുക്കാമെന്നു അക്കൌണ്ട്കോഡിൽ പറയുന്നുണ്ടൊ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): കൊടുക്കാമെന്നും പറയുന്നില്ല. ഇതിനെപ്പററി അക്കൌണ്ടുകോഡിൽ പലസ്ഥലത്തും വകുപ്പുകൾ ഉണ്ട്. അതെല്ലാം വായിച്ചുനോക്കിയാലെ അറിയാൻ സാധിക്കുകയൊള്ളു.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): അങ്ങിനെ പണം കൊടുക്കുന്നതു ശരിയാണെന്നു എന്നെ ഒന്നു ബോദ്ധ്യപ്പെടുത്താമൊ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ബോദ്ധ്യപ്പെടുത്താൻ സാധിക്കയില്ല. ആർട്ടിക്കിൾ ൧൭൭ വായിക്കുക.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): എനിക്കു് അക്കൌണ്ടുകോഡില്ല.

[The Financial Secretary to Government read Art. 107 of the *Account Code.*]

സാധാരണ ഒരു ആഫീസിന്റെ മേധാവി ഗസറ്റെഡ് ആഫീസർ ആയിരിക്കും?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അല്ലാതെയും വരാം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അങ്ങിനെ അല്ലാതെവരുമ്പോൾ ആർട്ടിക്കിൾ ൧൦൭ അനുസരിച്ചു പ്രവൃത്തിക്കണമെന്നല്ലേ പറയുന്നതു്?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അല്ല; ൧൦൮ വകുപ്പും പ്രവർത്തിക്കാം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ആർട്ടിക്കിൾ ൧൦൭-ൽ ഇങ്ങിനെയാണല്ലോ പറഞ്ഞിരിക്കുന്നതു്?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): പല സ്ഥലത്തും സെക്ഷൻസുണ്ടു്. എല്ലാംകൂടി ഒന്നിച്ചു വായിച്ചുനോക്കിയാൽ മാത്രമേ സംഗതി മനസ്സിലാവുകയുള്ളു.

Recruitment of Judges and Munsiffs.

211 **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether they have made any rule regarding the recruitment of Munsiffs and Judges from the Bar fixing the age and qualifications and the proportion to be taken from the service and the Bar;

(*b*) if so, what that rule is;

(*c*) whether they are making the recruitment so as to satisfy communal claims, and, if so, the basis on which communal representation is allowed;

(*d*) if the recruitment is made on the basis of communal representation, whether they are making the recruitment considering the caste or community of persons already in service in the Judicial Department or considering only the caste or community of the recruits from the Bar; and

(*e*) whether they consider the recruitment of Sirkar Vakils as Judges, as recruitment from the Bar?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) and (*b*) The answers are in the negative.

(*c*) Recruitments from the Bar are, as far as possible, made to satisfy communal claims also.

(*d*) In making recruitments from the Bar, the caste or community of the recruits from the Bar is alone considered and not the caste or community of persons already in service in the Judicial Department.

(*e*) Yes.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): With regard to the answers to parts (*a*) and (*b*), may I know the standard on which the recruitment is made?

MR. K. GEORGE (*Chief Secretary to Government*): Though there are no definite rules laid down by the Government, the High Court follows certain standards. In the case of recruitment of the members from the Bar, only those who are not past thirty-five on the next birthday are appointed as District Munsiffs and those who have not passed their fortieth birthday are appointed as Second Judges. As regards qualifications, a Munsiff should be a B. L., or Barrister-at-Law with a practice of five years in a District Court or in the High Court or in both combined. As regards Judges, they should be graduates-in-law, or Barristers with a practice of ten years in the High Court or in a District Court, or both combined for a period of not less than ten years.

Scheme re communal representation in public service.

212 **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether they have received a scheme from the Journalistic Association, Trivandrum, regarding communal representation in public service;

(*b*) whether they follow the principle of communal representation in the matter of appointments and promotions in public service;

(*c*) whether they accept the population of each caste or community, or the education of each caste or community, as the basis for the representation; and

(*d*) whether they have prepared any scheme considering the population or education basis, and, if so, whether they will lay it on the table?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*), (*c*) and (*d*) Government have sanctioned the constitution of a committee to enquire into and report on the question of recruitment to public service. The scheme received from the Journalistic Association, Trivandrum, will be forwarded to the Committee for consideration.

Appointment of First Grade Excise Inspectors made after Chingam 1106.

213 **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): With reference to the appointments of First Grade Excise Inspectors, permanent, acting or temporary, made after the 1st Chingam 1106, will the Government be pleased to state:

(*a*) the names of the persons so appointed;

(*b*) the dates of those appointments;

(*c*) the period of service in the Department or under the Government put in by each of those officers when they were so appointed; and

(*d*) the salary which each of them was drawing while he was so appointed?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (a) to (d). A statement containing the information is laid on the table.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): In the list supplied showing those who have been promoted to the First Grade, I find the name of one Mr. P. K. Velayudhan who does not appear to have held any office under Government when he was appointed as First Grade Inspector. May I know whether it is a fact?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No; he was holding an appointment in the office of the Agent to the Governor-General, Trivandrum.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether he was drafted to the Excise Department directly from the office of the Agent to the Governor-General?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Yes.

MR. N. K KRISHNA PILLAI (*Neyyattinkara*): May I know what pay he was drawing in the office of the Agent to the Governor-General before he was appointed in the Excise Department?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Rs. 50.

MR. N.K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether there are not Second Grade Inspectors in the Excise Department itself who were drawing higher pay than this gentleman at the time of the appointment?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That is likely.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know what consideration Government had in appointing this gentleman over the heads of men who were drawing the maximum in the Second Grade, *viz.*, Rs. 90?

MR. A. KUMARA PILLAI (*Ag. Secretary te Government*): He was appointed as a special case.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the reasons for making such an appointment could be disclosed or whether they are confidential?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): They are confidential.

Promotions in the Excise Department,

214 MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) when the Excise Test was first instituted;

(*b*) the number of officers from the cadres of Inspectors, Petty Officers and Clerks in the Excise Department who were given promotion on account of their success in this test during the years 1104, 1105 and 1106; and

(*c*) whether it is a fact that, in giving promotions, due regard was and is not being paid to success in this test?

**Vide* appendix II—page 527.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) The Excise Test Examination was first instituted in January 1927.

(*b*) A statement showing the number of officers in the various grades who had passed the Excise Test and who were given promotion is given below :—

Class of Officers.	*1104*	*No. promoted.*
Petty Officers		4
Clerks		4
	1105	
Inspector		1
Petty Officers		5
Clerks		5
	1106	
Inspector		1
Petty Officers		2
Clerks		11

(*c*) In giving promotions due regard was and is being paid to success in this test.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): In regard to part (*b*), may I know whether it is not a fact that when these appointments were made it *chanced* that these officers happened to have passed the examination and not that they were promoted *because* they had passed the Test?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): They were promoted *because* they had passed the examination. Had it not been for their passing the examination, they would *not* have been promoted. The passing of the examination is one of the qualifications of promotion.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I know that. My question is whether these officers were promoted simply on account of their having passed the examination.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Also on account of their seniority in service.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether there is any instance of promotion being given in the department, on the only ground of the officers having passed this Test without regard to seniority?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That information is not now available.

Opening a dispensary at Ottasekharamangalam.

215. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state :

(*a*) whether the people of Ottasekharamangalam have requested the Inspecting Medical Officer or the Administrative Board, Medical Services, for opening a dispensary or at least for the time being a bi-weekly dispensary at Ottasekharamangalam ; and

(b) if so, the action taken by the authorities in the matter?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (a) Yes.

(b) As Ottasekharamangalam is only 8 miles from Perumkadavila, where there is a dispensary, the petitioners have been informed by the Administrative Board, Medical Services, that there is no necessity to open a dispensary there at present.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know who made the enquiry on this petition?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The Inspecting Medical Officer.

MR N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the enquiry was made, *in person* or by deputing any other officer under him?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I do not know that. I have before me only the report of the Administrative Board, Medical Services; and that does not say anything about it.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) May I know whether the officer who enquired considered the question of opening at least a bi-weekly dispensary in that place?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): That information is not now available.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) Does the file give any information on the matter?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No. It is only a resolution from the Board that I have before me.

Establishment of a Tuberculosis Hospital in South Travancore.

216. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): With reference to the proposal for the establishment of a Tuberculosis Hospital in South Travancore, will the Government be pleased to state what steps they have taken in that direction since the reference made to the same by the Dewan-President at the last meeting of the Legislative Council?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The site suggested for the proposed Tuberculosis Sanatorium is that of an abandoned estate, Sengamal by name, lying in the Mahendragiri State Forest. The investigation of the alignment of a road to the site, running entirely through Travancore, has been completed by the Division Officer, Nagercoil, and the detailed survey for preparing the estimate for constructing the road is in progress.

Translation of the Land Revenue Manual into Malayalam.

217. **MR. JOSEPH KUNJU** (*Changanachery cum Peermade*): Will the Government be pleased to state:

(*a*) whether they have at any time decided to publish a Malayalam translation of the *Land Revenue Manual* ;

(*b*) if so, how many years is it since such a decision was made;

(*c*) whether they have translated and published the *Land Revenue Manual* in Malayalam till now 14-4-1107 ; and

(*d*) if not, the reasons for the same ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) (*a*) and (*b*). The proposal to translate the *Land Revenue Manual* was considered at the time when the *Manual* in English, was published; and later on in 1919 the Government decided that a translation of the first three volumes of the *Manual* was necessary.

(*c*) The answer is in the negative.

(*d*) The Government reconsidered their original decision to translate the existing *Land Revenue Manual*, Vols. I to III and in the year 1922 gave up the idea of translating the above volumes in their present form or even select portions thereof. Government have decided to revise Volume III of the *Manual* more or less on the lines of the Standing Orders of the Board of Revenue, Madras, and the work will be taken up soon. The publication of a Malayalam translation will be considered after the issue of the revised *Manual* in English.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ലാൻറു റവന്യൂ മാനുവൽ മലയാളത്തിൽ തർജ്ജിമചെയ്യണമെന്നു ആദ്യമായി തീരുമാനിച്ചതു് ൧൯൧൯-ലാണെന്നും, ൧൯൨൨-ൽ അതു വേണ്ടെന്നു വച്ചു എന്നും കാണുന്നു. ഈ മൂന്നു കൊല്ലക്കാലവും ഇതിനെപ്പററി ആലോചിച്ചുകൊണ്ടിരിക്കയായിരുന്നുവൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ഈ മൂന്നുകൊല്ലവും ആക്ഷൻ ഒന്നും എടുത്തില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഈ മൂന്നു കൊല്ലവും ഈ സംഗതി ഗവണ്മെൻറിൻെറ ആലോചനയിൽ ഇരിക്കയായിരുന്നുവൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ആയിരിക്കണം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒരിക്കൽ ആലോചിച്ചു തീർച്ചചെയ്ത സംഗതി വീണ്ടും ആലോചനയ്ക്കു വയ്ക്കാനുള്ള കാരണമെന്താണ്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): തർജ്ജിമചെയ്യണൊ വേണ്ടയൊ എന്നുള്ള സംഗതി വീണ്ടും ഗവണ്മെൻറിൻെറ ആലോചനയിൽ വന്നു. അതനുസരിച്ച് ൧൯൨൨-ൽ തീർച്ചചെയ്തു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒരിക്കൽ തീരുമാനിച്ച സംഗതി വീണ്ടും ആലോചനയ്ക്കു വരുവാനുള്ള കാരണമെന്താണെന്നാണു് ഞാൻ ചോദിച്ചതു ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): പ്രത്യേകമായിട്ടു കാരണമൊന്നും അറിഞ്ഞുകൂടാ.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അതാരോടു ചോദിച്ചാൽ അറിയാമെന്നു മെമ്പർക്കു പറയുവാൻ ദയവുണ്ടാകുമൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): കാരണമൊന്നും ഫയലിൽ ഇല്ല. ൧൯൧൯-ൽ തർജ്ജിമചെയ്യുന്നമെന്നു തീർച്ചചെയ്തു. ൧൯൨൨-ൽ അതു വേണ്ടെന്നുവച്ചു. ഇതുമാത്രമെ ഇവിടെയൊള്ളു. ഇതു പത്തു കൊല്ലത്തിനു മുമ്പുള്ള ഒരു സംഗതിയാണു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മൂന്നാംവാല്യം പുതുക്കണമെന്നു ഉദ്ദേശിച്ചിരിക്കുന്നു എന്നു പറഞ്ഞു. ഒന്നും രണ്ടും വാല്യം പുതുക്കേണ്ട ആവശ്യമില്ലല്ലൊ ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ഒന്നും രണ്ടും വാല്യത്തിലുള്ള റഗുലേഷനും റൂൾസുകളും ഗസററിൽ പരസ്യം ചെയ്തിട്ടുണ്ടു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ലാൻറു റവന്യൂമാനുവൽ ഏതെങ്കിലും വാല്യം മലയാളത്തിൽ തർജ്ജിമചെയ്തിട്ടുണ്ടോ ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ഇല്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒന്നും രണ്ടും വാല്യം പുതുക്കേണ്ട ആവശ്യമില്ലാത്ത സ്ഥിതിക്കു് അവ തർജ്ജിമ ചെയ്യാതിരുന്നതിനുള്ള കാരണമെന്താണു്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): കാരണം എന്താണെന്നു ഇപ്പോൾ പറയാൻ നിവൃത്തിയില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഞാൻ എന്റെ ചോദ്യത്തിൽതന്നെ അതു ചോദിച്ചിട്ടുണ്ടു്.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അതിനെപ്പററിയുള്ള ഇൻഫർമേഷൻഒന്നുമിവിടെയില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അതായതു ഉത്തരംപറയുവാൻ നിവൃത്തിയില്ലാത്ത ഒന്നാണു് എന്റെ ചോദ്യം എന്നാണൊ ഞാൻ മനസിലാക്കേണ്ടതു്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അതിനെപ്പററിയുള്ള വിവരങ്ങളൊന്നും ഇവിടെയില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ഈ വിവരം എവിടെ അന്വേഷിച്ചാൽ എനിക്കറിയാൻ സാധിക്കുമെന്നു പറയുവാൻ മെംബെക്ക് ദയവുണ്ടാകുമൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അതു തൽക്കാലം അന്വേഷിക്കേണ്ട ആവശ്യമില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അതു് എനിക്കു് അന്വേഷിച്ചറിയേണ്ട ആവശ്യമുണ്ടോ ഇല്ലയോ എന്നു നിശ്ചയിക്കേണ്ടതു ഞാനാണല്ലോ.

Promotion of Pakuthi Accountants who have passed the Revenue and Account Tests.

218 **MR. JOSEPH KUNJU** (*Changanachery* cum *eermade*): Will the Government be pleased to state :

(*a*) the number of Pakuthi Accountants in the State who have passed the Revenue and Account Tests; and

(*b*) whether they have ruled that the Pakuthi Accountants who pass the Revenue and Account tests should be given grade promotions?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) One.

(*b*) The answer is in the negative.

MR. JOSEPH KUNJU (*Changznachery* cum *Peermade*): പാ: ട്ട് (എ) ഇതിൽ ഒരാൾ റവന്യു ടെസ്ററും അക്കൌണ്ട ടെസ്ററും പാസ്സായിട്ടുണ്ടെന്നു പറയുന്നുണ്ടു്. അതാരാണെന്നു പ്രസ്താവിക്കാൻ ദയവുണ്ടാകുമൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*). അറിഞ്ഞുകൂടാ. വേണമെങ്കിൽ എഴുതിചോദിച്ചുപറയാം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒരാളുണ്ടെന്നു എങ്ങിനെ അറിഞ്ഞു?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അതിനെപ്പററി ഇൻഫർമേഷൻ ഉണ്ടു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അതാരാണെന്നും എവിടെയാണെന്നും അറിഞ്ഞുകൂടാ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അറിഞ്ഞുകൂടാ.

Statement of expenditure for the Water Works Division.

219 **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*) : Will the Government be pleased to lay on the table a statement showing :

(*a*) the percentage of allotment for work establishment in the Water Works Division as per estimate sanctioned by the Government for—

(i) works;

(ii) supply of tools and plant; and

(iii) supply of pipes and specials;

(*b*) the estimated amount under each Appendix and the up-to-date expenditure under each head;

(*c*) the estimated provision for petty supervision and contingencies under each Appendix and the amount expended for petty supervision and contingencies under each head;

(*d*) the total amount expended for works including value of materials for each month from Chingam 1106 to the end of Tulam 1107;

(*e*) the total amount expended under petty supervision and contingencies for each month for the same period; and

(*f*) the total number of hands in the work establishment for each month for the same period?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) (i) 2½ per cent.

(ii) Nil.

(iii) 1¼ per cent. for supply of pipes, etc., for the Distribution System and 5/8 per cent. for supply of pipes, etc., for the Main Supply Line.

(*b*) to (*f*). Statements* containing the required information are laid on the table.

Appointment of a permanent Headmaster for the English High School, Shertallai.

220 **MR. K. P. MADHAVAN PILLAI** (*Shertallai*): Will the Government be pleased to state:

(*a*) the number of First Grade Teachers in the English High School at Shertallai;

(*b*) the exact period for which there has been no permanent Headmaster in the said High School;

(*c*) the reason why no such Headmaster is appointed; and

(*d*) whether they intend sending out any of the permanent Headmasters to the said English High School in the near future?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Two including the teacher in charge of the school.

(*b*) From the 7th Idavam 1105.

(*c*) A senior 1st grade teacher has been put in independent charge of the school with effect from the 7th Idavam 1105. Not all senior teachers are necessarily good Headmasters and teachers have to

* *Vide* Appendices III A to III E—pages 528 to 532

[Mr. K. George.]

be tried before the question of their permanent appointment as Headmasters can be considered.

(*d*) When the existing permanent vacancies of Headmasters of English Schools are filled up the school will also have a permanent Headmaster.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : Does the member mean to say that there is only one first grade teacher besides the teacher in charge?

MR. K. GEORGE (*Chief Secretary to Government*): That is what has been stated in the answer.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : With reference to part (*b*), may I know whether, before the date mentioned in the answer, there was any headmaster in that school?

MR. K. GEORGE (*Chief Secretary to Government*): The officer in charge before that date (7th Edavam 1105) has been confirmed as headmaster.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : Does the member mean to say that before that date there was a permanent headmaster in that school?

MR. K. GEORGE (*Chief Secretary to Government*) : Yes. Mr. K. Narayana Pillai was the permanent headmaster at the time of his retirement. But, the order appointing him as permanent headmaster was issued only later, retrospectively.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : Was he in service in the said school, at the time he was confirmed as Headmaster?

MR. K. GEORGE (*Chief Secretary to Government*): I have stated that he was confirmed retrospectively.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) With reference to the answer to part (*b*), will the member be pleased to state how many of these vacancies exist at present?

MR. K. GEORGE (*Chief Secretary to Government*) : There are five vacancies.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : Is it for want of competent men that these posts are kept vacant?

MR. K. GEORGE (*Chief Secretary to Government*) : There are two reasons why these posts are kept vacant. In the first place, there is the Financial Circular which says that no confirmation should be made now, on account of the financial stringency; in the second place, the Director wants to examine the capacity of the various officers before confirmation.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : May I know whether in the whole State, there is any school which was without a permanent headmaster for such a long time?

MR. K. GEORGE (*Chief Secretary to Government*): I am not in a position to answer that question now.

Statement of Muslim Ayurveda Vaidyans.

221. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of Muslims who have passed from the Ayurveda College of Medicines since the institution was started;

(*b*) the number of those among them who have been given grants-in-aid;

(*c*) whether the passed candidates possess their own *Vaidyasalas*; and

(*d*) whether they have put in any application for grants?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) Two, one of whom has passed the *Vaidyakalanidhi* and the other the *Vaidya Sastri* examination.

(*b*) None.

(*c*) Yes.

(*d*) The one who has passed the *Vaidyakalanidhi* Examination has applied for a grant.

The Valliyar dam at Talakulam.

222. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether they are aware that the damaged portion of the dam across the Valliyar at Talakulam is not yet reconstructed; and

(*b*) whether there is provision in the current year's budget for the reconstruction of the dam with a view to feed the Kadiapattanam Periakulam?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) No. It has been reconstructed already.

(*b*) There is a provision of Rs. 200 in the current year's budget for closing the accounts of the work.

Maintenance of the moral standard among the rank and file of the Police Force.

223. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*): Will the Government be pleased to state whether they do anything to maintain the moral standard of the rank and file of the Police Force after their period of training?

MR. K. GEORGE (*Chief Secretary to Government*): (1) After the period of training all ranks are on probation for a period of not less than one year.

(2) All ranks are subject to a strict discipline.

(3) Subordinate officers can be prosecuted by the public on complaint and superior officers with the permission of Government.

(4) Prosecution lies against any member of the public who attempts to currupt the morale of the Police.

(5) The member is also referred to Police Regulation IV of 1095 which is self explanatory.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): with reference to part (2), may I know the nature of the strict discipline that they are subject to?

MR. K. GEORGE (*Chief Secretary to Government*): They are subject to punishment for misbehaviour.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Are they subject to drill?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): May I know whether the strict discipline allows them to drink intoxicating liquors in excess, not in moderate doses?

MR. K. GEORGE (*Chief Secretary to Government*): I need not answer that question.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Does the strict discipline allow them to do that?

MR. K. GEORGE (*Chief Secretary to Government*): I say I need not answer that question. It is self-evident.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): I cannot see it from the answer.

MR. K. GEORGE (*Chief Secretary to Government*): Addiction to drink is certainly not discipline. It is, perhaps, indiscipline.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): May I know whether there has been any instance of policemen having got drunk?

MR. K. GEORGE (*Chif Secretary to Government*): That does not arise from this question.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Was any medical inspection of the rank and file of the police conducted?

MR. K. GEORGE (*Chief Secretary to Government*): They are examined before recruitment.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Are they examined *after* recruitment?

MR. K. GEORGE (*Chief Secretary to Government*): If they are found to be ill, they will be sent over for medical examination.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Is there such an examination conducted in the case of the military?

MR. K. GEORGE (*Chief Secretary to Government*): There is the regular Brigade medical staff; and so military are subject to frequent medical inspection.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Has such an inspection brought to the notice of Government any general defect in the rank and file of the police?

MR. K. GEORGE (*Chief Secretary to Government*): I have already stated that in the case of the police, there is no periodical medical inspection,

Appointment of Head Constables as Police Inspectors.

224. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether there is any rule to the effect that 25 per cent. of the appointments as Inspectors of Police should go to Head Constables of approved service and ability; and

(*b*) if the answer to part (*a*) is in the affirmative, whether that rule is strictly adhered to

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) G. O. R. Dis. No. 2592 of 26/ Judicial, dated the 9th September 1926, lays down that 25 per cent. of the vacancies may be reserved for deserving Head Constables of proved experience competent to cope with the duties of Inspectors.

(*b*) Yes.

Statement, by caste, of constables recruited during the last 3 years.

225. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to lay on the table a statement, by caste of the number of constables enlisted in the Police Department during the last three years?

MR. K. GEORGE (*Chief Secretary to Government*): The statement * required is laid on the table.

---

* *Vide* Appendix IV—page 534.

Appendix I.

Vide **Answer to Question No. 199.**

Statement, by caste, of appointments made in the Electrical Department in 1105 and 1106.

Serial No.	Caste of persons appointed.		Number of appointments made.
1	Brahmin (Malayala)	...	1
2	Brahmin (others)	...	4
3	Nadar	...	...
4	Ezhava	...	2
5	Kammala	...	...
6	Kshatriya	...	...
7	Nayar	...	13
8	Pulaya	...	...
9	Other depressed classes	...	...
10	Vellala	...	1
11	Other Hindus (Pandaram)	...	1
12	Mussalmans	...	5
13	Christians (Protestants)	...	3
14	Roman Catholic:—		
	(*a*) Latin rite	...	1
	(*b*) Syriac rite	...	...
15	Syrian—		
	(*a*) Jacobite	...	1
	(*b*) Mar Thoma	...	1
16	Church of England	...	...
17	Christian (others)	...	...

Appendix II.

Vide **Answer to Question No. 213.**

List of First Grade Excise Inspectors appointed after the 1st Chingam 1106.

Serial No.	Name of person appointed.	Date of appointment.	Period of service in the Department or under Government when appointed.	Salary at the time of appointment.
1	K. Thanu Pillai, B. A. ...	11-1-1105	18 years.	Rs. 90 as 2nd Grade Inspector.
2	Iype Tharian, B. A. ...	17-9-1105	22 „	Do. Do.
3	V. S. Paramesvara Aiyar, B. A. & B. L. ...	2-8-1106	21 „	Do. Do.
4	S. Rama Aiyar ...	2-8-1106	37 „	Do. Do.
5	K. Sivasankara Pillai ...	2-8-1106	24 „	Do. Do.
6	M. G. Walsalam, B. A. (S. P. T.) ...	15-1-1107	26 „	Rs. 100 as Head Accountant, Excise Commissioner's Office.
7	S. Satyavagisvara Aiyar, B. A. (S. P. T.)	11-9-1106	21 „	Rs. 90 as 2nd Grade Excise Inspector.
8	P. K. Velayudhan, B. A. (S. P. T.) ...	9-1-1107	Nil.	...

Appendix III A.

Vide Answer to Question No. 219.

Trivandrum Water Works—Statement showing the estimate amount under each Appendix and the up-to-date expenditure under each head.

Item No.	Reference to appendix with particulars.	Estimate amount. Rs.	Expenditure up-to-date *viz.* to end of 3/07. Rs.	Remarks.
1 A	Land compensation	3,29,500	4,14,398	
2 B	Head Works at Aruvikara	3,82,650	1,65,298	
3 C	Main supply line from Aruvikarai to Trivandrum	13,22,200	11,63,467	
4 D	Purification	2,38,100	1,73,427	
5 E	Service Reservoirs and Pumping Plant	4,60,250	72,713	
6 F	Town Distribution	15,11,000	3,24,600	
7 G	Opening a road from the 8th mile, T. S. road, to the 2nd mile, Katchani-Aruvikarai road	20,200	8,503	Half the cost of construction debited to general revenues.
8 H	Telephone line from Trivandrum Central Exchange to Aruvikarai	8,870	8,331	
9 I	Tools and Plant	1,50,000	1,34,172	
10 J	General Works	..	22,989	
11 K	Establishment	2,24,000	1,60,200	

Appendix III B.

Vide **Answer to Question No. 219.**

Trivandrum Water Works—Statement showing the estimated provision and expenditure for petty supervision and contingencies under each Appendix.

Appendix.	Estimate provision.	Expenditure to end of Thulam 1107		
	Rs.	Rs.	Chs.	C.
A	...	16	3	9
B	16,295	7,217	21	11
C	27,599	25,031	6	14
D	7,120	3,413	12	10
E	17,031	3,170	18	15
F	53,305	2,206	15	9
G	1,836	1,233	27	13
H	814	151	23	11
I	1,718	1,388	22	9

The figures given under expenditure include charges on account of monthly paid staff, a portion of which has to be debited to items of works as the staff relating thereto is not employed on petty supervision. Such charges therefore have to be given their proper debits. This is being done.

Appendix III C.

Vide **Answer to Question No. 219.**

Trivandrum Water Works – Statement of expenditure on works including value of materials from Chingam 1106 to Thulam 1107.

Serial No.	Month.	Expenditure Rs.	Remarks.
1	Chingam 1106 ...	11,700	
2	Kanni „ ...	46,414	
3	Thulam „ ...	28,440	
4	Vrischikam „ ...	36,181	
5	Dhanu „ ...	37,914	
6	Makaram „ ...	25,090	
7	Kumbham „ ...	44,770	
8	Meenam „ ...	70,550	
9	Medam „ ...	29,316	
10	Edavam „ ...	42,841	
11	Mithunam „ ...	1,11,534	
12	Karkatakam „ ...	2,35,316	
13	Karkatakam (supplemental) ...	49,807	
14	Chingam 1107 ...	22,296	
15	Kanni „ ...	54,722	
16	Thulam „ ...	54,308	

Appendix III D.

***Vide* Answer to Question No. 219.**

Trivandrum Water Works—Statement showing the amount expended under Petty Supervision and Contingencies for each month from Chingam 1106 to end of Thulam 1107.

Month and year.			Amount.			Remarks.
			Rs.	Chs.	C.	
Auvani	1106	...	985	0	0	The figures given include charges on account of monthly paid staff, a portion of which has to be debited to items of works as the staff relating thereto is not employed on petty supervision. Such charges therefore have to be given their proper debits. This is being done.
Purattasi	,,	...	1,071	0	0	
Alpasi	,,	...	1,534	0	0	
Kartikai	,,	...	1,573	0	0	
Markazhi	,,	...	1,944	0	0	
Thai	,,	...	2,090	0	0	
Mausi	,,	...	2,157	0	0	
Panguni	,,	...	2,073	0	0	
Chittirai	,,	...	2,002	0	0	
Vaikausi	,,	...	2,281	0	0	
Auni	,,	...	2,404	0	0	
Audi	,,	...	2,852	0	0	Increase on account of taking up the pipe laying work in Town Distribution departmentally.
Auvani	1107	...	2,521	0	0	
Purattasi	,,	...	2,711	0	0	
Alpasi	,,	...	3,122	0	0	

Appendix III E.

***Vide* Answer to Question No. 219.**

Trivandrum Water Works—Statement of Work Establishment members for the period from 1/06 to 3/07.

Period.	Maistries.	Mechanical staff including drivers, cleaners & Switch Board men.	Telephone operators.	Promaistries.	Watchers.	Scavengers.	Total.
1/06	30	9	2	10	10	...	61
2/06	41	15	2	10	11	...	79
3/06	47	15	2	10	11	...	85
4/06	68	24	2	10	11	...	115
5/06	71	31	2	10	11	...	125
6/06	76	30	2	10	11	...	129
7/06	76	30	2	10	11	...	129
8/06	77	30	2	10	12	...	131
9/06	77	32	2	10	12	1	134
10/06	77	32	2	10	13	1	135
11/06	79	32	2	10	15	1	139
12/06	88	33	2	14	17	1	155
1/07	100	30	2	14	31	1	178
2/07	100	30	2	14	30	1	177
3/07	102	33	2	13	34	1	185

Appendix IV.

***Vide* Answer to Question No. 225.**

Statement, by caste, of constables recruited during 1104—1106.

Caste.	Number enlisted in		
	1104.	1105.	1106.
I. HINDUS.			
1. Brahmin (Malayala) ...	...	...	...
2. Brahmin (Others) ...	4	1	4
3. Ezhava ...	3	16	15
4. Kammala ...	3	...	3
5. Kshatriya (Malayala) ...	...	...	...
6. Nadar ...	1	5	6
7. Nayar ...	35	41	47
8. Pulaya ...	1	2	3
9. Vellala ...	8	8	9
10. Other Depressed Classes ...	7	16	18
11. Other Hindus ...	6	13	17
II. MUSSALMAN.	4	5	26
III. CHRISTIANS.			
1. Protestants ...	1	...	2
2. Roman Catholics—			
(*a*) Latin rite ...	1	3	11
(*b*) Syriac rite ...	...	2	6
3. Syrians—			
(*a*) Jacobites ...	7	7	20
(*b*) Mar Thoma ...	1	2	4
4. Church of England ...	...	...	..
5. Others ...	1	...	...
Total ...	83	121	191

ADJOURNMENT MOTION.

RE DELAY IN PUBLICATION OF LIST OF TEXT-BOOKS.

Mr. S. Krishna Pillai handed over, to the President, notice of a motion for the adjournment of the business of the House.

PRESIDENT: Mr. Krishna Pillai has asked for leave to move for the adjournment of the business of this House for discussion of the consequences of the delay made by Government in the publication of the list of text-bocks to be prescribed for the next school year, in spite of the fact that the expert committee, specially appointed by Government for the purpose is reported to have submitted its recommendations days ago. The member states that the matter is one affecting the whole State and is of urgent public importance.

There are two reasons for which I cannot allow this motion. One is that it is not a *specific* matter of *recent* occurrence; and the other is that the matter is at present under the consideration of Government. Therefore, I cannot allow it in the public interests.

Legislation.

THE TRAVANCORE TOWN-PLANNING BILL,

PRESIDENT: The business before the House is the discussion on the Town-Planning Bill. Mr. Thanu Pillai has moved an amendment to clause 44 to the effect that, in line 1, the word "*when*" occurring before the words "*Our Government*" should be deleted that the words *may with the consent of*" be substituted for the words "*after consulting*", and that in line 3, the words" "*and when they so decide*" should be inserted between the words "*board*" and "*they*" the amendment has been seconded; and it is now before the House.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir,..................

MR. RAMA VARMA RAJA (*Edavagai*): Sir.............

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, Mr. Rama Varma Raja seconded the amendment yesterday. He had no time to speak then. He may be allowed to speak now.

PRESIDENT: Do you wish to speak now, Mr. Raja?

MR. RAMA VARMA RAJA (*Edavaga*): Yes, Sir.

PRESIDENT: Mr. Raja is now in possession of the House.

MR. RAMA VARMA RAJA (*Edavagai*): സർ, മി: താണുപിള്ള ഇവിടെ അവതരിപ്പിച്ച ഭേദഗതിയെ പിൻ താങ്ങുന്നതിനു എന്നെ പ്രേരിപ്പിച്ചതു ക്ലാസ് ൪൪-ൽ പറഞ്ഞിരിക്കുന്നസംഗതിയാണു്. ടൌൺപ്ലാ

നിങ്ങ് ആവശ്യത്തിനായി ഒരുടസ്റ്റ് മുനിസിപ്പാലിററിയുടെ സമ്മതത്തോടുകൂടിയും സമ്മതത്തോടുകൂടാതെയും നിർമ്മിക്കാമെന്നു പറയുന്നുണ്ട്. ഒരു മുനിസിപ്പാലിററി ആവശ്യമില്ലടൌൺപ്ളാനിങ് സാദ്ധ്യവുമല്ല എന്നു പറഞ്ഞു തള്ളുന്ന അവസരത്തിൽ ഗവണ്മെൻറു തന്നെ ഒരു ടസ്റ്റ് ഫാറം ചെയ്തു ജോലി നടത്തിക്കൊള്ളാമെന്നു പറയുന്ന പക്ഷം എനിക്കതിൽ ആക്ഷേപം പറയാൻ ഇല്ല എന്നാൽ ഇതിൽ വിസമ്മതമുള്ള മുനിസിപ്പൽ പ്രസിഡൻറിനെയും കൌൺസിലിനെയും കൊണ്ടുതന്നെ ഇതു നടത്തിക്കണമെന്നും അതിൽ ഉണ്ടാകുന്ന സകലപണച്ചെലവുകളും ടസ്ററ് വീഴ്ചയാകുന്നപക്ഷം കൌൺസിൽ വഹിക്കേണ്ടതാണെന്നും വരുമ്പോൾ പല വിധത്തിലുള്ള തക്കങ്ങൾ ഉണ്ടാകുമെന്നു ഒരു മുനിസിപ്പൽ പ്രസിഡൻറിൻെറ നിലയിൽ എനിക്കിവിടെ പ്രസ്താവിക്കുവാനുണ്ട്. ഒരു ടൌണിൻെറ ഭരണം മുഴുവനും ഒരു മുനിസിപ്പൽ കൌൺസിലിനെ ഗവൺമെൻറുഏല്പിച്ചിരിക്കുന്നതു് ആടൌണിലുള്ള സകല കാര്യങ്ങളും അവർ ശരിയായി നിർവഹിച്ചുകൊള്ളുമെന്നുള്ള പൂർണ്ണബോദ്ധ്യത്തോടുകൂടിയാണു്. അങ്ങിനെയിരിക്കുന്ന അവസരത്തിലാണ് ഗവണ്മെൻറു വേറെ വല്ല നിർബന്ധത്താലൊമററൊ ടൌൺ പ്ലാനിങ്ങ് നടത്തണമെന്നു കൌൺസിലിനോടു അഭിപ്രായപ്പെടുന്നതു്. അപ്പോൾ പണത്തിൻെറ ദൌർലഭ്യം കൊണ്ടൊ അല്ലെങ്കിൽ ജനങ്ങളെ ബുദ്ധിമുട്ടിച്ചുഅവരിൽ നിന്നും പണം ഈടാക്കാനുള്ള വിഷമം കൊണ്ടൊ തല്ക്കാലം ടൌൺ പ്ലാനിങ്ങ് അവിടെ ആവശ്യമില്ലെന്നു മുനിസിപ്പൽ കൌൺസിൽ പറയുമ്പോൾ അതു നടത്താനായി ഗവണ്മെൻറു തീർച്ചചെയ്തു ടസററ്ഫാറം ചെയ്തു നടത്തിക്കയും അതു വീഴ്ചവരുന്ന അവസരങ്ങളിൽ ആ മുനിസിപ്പാലിററിയെ കൊണ്ടു തന്നെ നടത്തിക്കണമെന്നു നിശ്ചയിക്കുകയും ചെയ്യുന്നതിൽ പലകുഴപ്പങ്ങളും ഉണ്ടാകാനിടയുണ്ടു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): അങ്ങിനെയാണെങ്കിൽ ൧൦-ാം വകുപ്പിൽ ഗവണ്മെൻറിനു അധികാരം കൊടുത്തു കൂടാ എന്നു പറയാതിരിക്കുവാനുള്ള കാരണമെന്താണു്?

MR. RAMA VARMA RAJA (*Edavagai*): അതിൽ സ്കീം ആവശ്യപ്പെടാമെന്നല്ലാതെ മുനിസിപ്പാലിററി തന്നെ നടത്തണമെന്നു പറഞ്ഞിട്ടില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): അങ്ങിനെ ഗവൺമെൻറിനു ആവശ്യപ്പെടാമെന്നും അതനുസരിച്ചു കൌൺസിൽ സ്കീം തയ്യാറാക്കി അയക്കണമെന്നും ഇല്ലെ ?

MR. RAMA VARMA RAJA (*Edavagai*): അതുമാത്രമെയൊള്ളൂ. അല്ലാതെ സ്കീം എക്സിക്യൂട്ട് ചെയ്യണമെന്നില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മുനിസിപ്പാലിററിക്കു സ്കീം നടത്താൻ മനസ്സില്ലെങ്കിൽ ൧൦-ാം വകുപ്പിനെ തന്നെ മെമ്പർ എതിർക്കേണ്ടതായിരുന്നില്ലേ?

MR. RAMA VARMA RAJA (*Edavagai*): സ്കീം തയ്യാറാക്കിക്കഴിഞ്ഞതിനുശേഷമാണല്ലൊ; നടത്താമൊ പാടില്ലയൊ എന്നു തീർച്ചപ്പെടുത്തുന്നതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): ൧൨,൧൩ ഈ വകുപ്പുകൾ മെമ്പർ വായിച്ചിട്ടുണ്ടോ?

MR. RAMA VARMA RAJA (*Edavagai*): ഉണ്ടു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): അവയനുസരിച്ചു മുനിസിപ്പാലിററിക്കു യാതൊരുവിധമായ അഭിപ്രായവുമില്ലെങ്കിലും ഗവൺമെൻറിനു സ്വതന്ത്രമായി ഇതിൽ പ്രവൃത്തിക്കാമെന്നു കാണുന്നില്ലേ ?

MR. RAMA VARMA RAJA (*Edavagai*): അതെല്ലാം സ്കീം തയ്യാറാക്കുന്നതിനെ സംബന്ധിച്ചാണു്. ഞാൻ ഇവിടെപറയുന്നതു് അതു നടപ്പിൽ വരുത്തുന്നതിനെക്കുറിച്ചാണു്.

MR. M. GOVINDAN (*Nominated*): സ്കീമിനെപ്പററി ഡിക്ലറേഷൻ വന്നാൽ അതുകൌൺസിലിൻെറ ഒരു നിശ്ചയമായിട്ടു വിചാരിക്കേണ്ടതാകുന്നു എന്നു ഒരു വകുപ്പു മുൻപുപാസ്സാക്കീട്ടുള്ളതായി അറിയാമൊ?

MR. RAMA VARMA RAJA (*Edavagai*): അറിയാം. കൌൺസിലിൽ നിന്നും അതു തയ്യാറാക്കുമ്പോൾ അതു കൌൺസിലിൻെറ അനുമതിയോടുകൂടിയായിരിക്കും.

MR. M. GOVINDAN (*Nominated*): ഞാൻ ൧൦-ാമത്തെ ക്ലാസ് വായിക്കാം.

"Notwithstanding anything contained in Sections 7 to 9, Our Government may in respect of any municipality, after making such inquiry as they may deem necessary, by notification in Our Government Gazette require the Council to prepare, publish and submit for their sanction a draft scheme as respects any land in regard to which a town-planning scheme may be made.

Such requisition shall operate and be treated in every respect as a resolution passed by the Council under Section 7 and the Council shall proceed as if by a resolution the Council had decided to prepare the scheme."

ഈറെക്വിസിഷൻ ഒരു റസല്യൂഷൻെറ ഫലംവരുന്നു എന്നുവരുകിൽ സ്കീമിനെപ്പററി ഒരുറസല്യൂഷൻ കൌൺസിലിൽ ഉണ്ടാക്കിയശേഷം അതു നടപ്പാക്കാതെയിരിക്കുന്നതിനുള്ള ഒരുവഴി കൌൺസിലിനു സ്വായത്തമായിരിക്കണമെന്നാണൊ മെമ്പറുടെ അഭിപ്രായം?

MR. RAMA VARMA RAJA (*Edavagai*) : അല്ല. കൌൺസിൽ സ്കീം തയ്യാറാക്കുന്നുവെങ്കിലും അതു കൌൺസിലിൽനിന്നും തന്നെ നടത്തണമെന്നു വരുന്നില്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): ക്ലാസ് ൩൯ (൨) അനുസരിച്ച് സ്കീം തയ്യാറാക്കാൻ മാത്രമല്ല, മുനിസിപ്പാലിററിയുടെ അനുവാദമില്ലാതെ അതു എക്സിക്യൂട്ടു ചെയ്യുവാൻകൂടി ഗവൺമെൻറിനു കഴിയുമെന്നുള്ള പായിൻറു മെമ്പർ നോക്കിയിട്ടുണ്ടോ?

MR. RAMA VARMA RAJA (*Edavagai*): ഗവണ്മെൻറു എക്സിക്യൂട്ടു ചെയ്യുമെന്നു പറയുന്നില്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): മുനിസിപ്പാലിററിയെക്കൊണ്ടു എക്സിക്യൂട്ട് ചെയ്യിക്കാൻ കഴിയുമെന്നുള്ള ഭാഗം ഓക്കുന്നുണ്ടോ?

MR. RAMA VARMA RAJA (*Edavagai*) : മനസ്സില്ലാത്ത മുനിസിപ്പൽ കൌൺസിലിനെക്കൊണ്ടു നടത്തിക്കാൻ ഗവണ്മെൻറിനു കഴിയുമെന്നു ഞാൻ മനസ്സിലാക്കുന്നുണ്ട്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): അങ്ങിനെയുള്ള ൩൯-ാം വകുപ്പിനെ മെമ്പർ വിട്ടതു എന്തുകൊണ്ടാണ്?

MR. RAMA VARMA RAJA (*Edavagai*) : മുനിസിപ്പാലിററിയുടെ അനുവാദത്തോടുകൂടി സ്കീം തയ്യാറാക്കുമ്പോഴും അത് മുനിസിപ്പാലിററിയുടെ ശക്തികളതക്കവണ്ണമുള്ള സ്കീമായിരിക്കയെയുള്ളു. ഇപ്പോഴത്തെ ക്ലാസിൽ പറയുന്നത് ട്രസ്റ്റ്ഫ്രാംചെയ്തു സ്കീം ഉണ്ടാക്കി നടപ്പിൽ വരുത്തുന്നകാര്യത്തെപ്പററിയാണ്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : സ്കീം ഉണ്ടാക്കിയശേഷമല്ലെ ട്രസ്റ്റ് ഏർപ്പെടുത്തുന്നത്?

MR. RAMA VARMA RAJA (*Edavagai*) : ട്രസ്റ്റ് ഏർപ്പെടുത്തുന്നത് മുനിസിപ്പാലിററിയുടെ സ്കീം നടത്താനല്ല.

MR. M. GOVINDAN (*Nominated*) : ടൌൺ പ്ലാനിങ്ങ് സ്കീം നടത്തുന്നതിനാണ്.

MR. RAMA VARMA RAJA (*Edavagai*) : അതല്ല ഞാൻ പറയുന്നതു്. മുനിസിപ്പാലിററിയിൽനിന്നും നടത്താൻ കഴിയാത്ത കാര്യങ്ങളെ നടത്താനാണു് ട്രസ്റ്റ് ഉണ്ടാക്കുന്നതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : ൫൦-ാം വകുപ്പനുസരിച്ചു മുനിസിപ്പാലിററിയോടു ആവശ്യപ്പെട്ടാൽ സ്കീം ഉണ്ടാക്കി അയക്കണം. അതനുസരിച്ചു നടത്താനല്ലെ ട്രസ്റ്റ്ഫാറം ചെയ്യുന്നതു്?

MR. RAMA VARMA RAJA (*Edavagai*) : മുനിസിപ്പാലിററിയെക്കൊണ്ടു നടത്താൻ വയ്യാ എന്നു വരുന്ന അവസരത്തിലാണു് ട്രസ്റ്റ്ഫാറം ചെയ്യുന്നതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : എന്നു ഏതുവകുപ്പിലാണു് പറഞ്ഞിരിക്കുന്നതു്?

MR. RAMA VARMA RAJA (*Edavagai*) : ൪൪-ാമത്തെ ക്ലാസിൽ പറയുന്നു.

> "When Our Government, after consulting the Municipal Council, decide that the interests of town-planning in any particular area will be best served by intrusting it to a special board, they may, by notification in Our Government Gazette, constitute such board to be called "The (name of town or other area) Town-Planning Trust" hereinafter referred to as "the trust", and thereupon the duty of carrying out the provisions of this Regulation in such local area shall, subject to the conditions and limitations hereinafter contained, be vested in the trust.

എന്നാണു്: അതായതു് മുനിസിപ്പാലിററിയെകൊണ്ടു നടത്താൻ സാധിക്കാതെവരുമ്പോൾ ഒരു് സ്പെഷ്യൽ ബോർഡു ഏർപ്പെടുത്തണമെന്നാണു് ഇതിൽ പറയുന്നതു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : 'മുനിസിപ്പാലിററിയെക്കൊണ്ടു നടത്താൻ സാധിക്കാതെവരുമ്പോൾ' എന്നു് എവിടെ പറയുന്നു?

MR. RAMA VARMA RAJA (*Edavagai*) : ക്ലാസ് ൪൪-ൽ തന്നെ പറയുന്നുണ്ടു്.

മുനിസിപ്പാലിററിയെക്കൊണ്ടു നടത്താൻ സാധിക്കാതെവരുമ്പോഴാണു് ബോർഡിന്റെ ആവശ്യമുണ്ടാകുന്നതു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അങ്ങിനെ എവിടെ പറയുന്നു?

MR. RAMA VARMA RAJA (*Edavagai*): അങ്ങിനെയാണ് ഞാൻ ധരിച്ചത്. ലാ മെമ്പർ സംസാരിക്കുമ്പോൾ ആ സംശയം തീർക്കുമെന്നു ഞാൻ വിചാരിക്കുന്നു.

മദ്രാസിലുള്ള റഗുലേഷനിൽ ഇതുപോലെ പറഞ്ഞിട്ടുണ്ടെന്നൊരു വാദമുണ്ട്. എന്നാൽ അവിടെയുള്ള റഗുലേഷനെ അതുപോലെ പകർത്തണമെന്നൊ ഇവിടെ നടപ്പിൽവരുത്തണമെന്നൊ വിചാരിക്കേണ്ട ആവശ്യമില്ല. മദ്രാസിലെയും ഇവിടത്തെയും മുനിസിപ്പാലിററികൾക്കു തമ്മിൽ വലിയ അന്തരമുണ്ട്. മദ്രാസിലെ മുനിസിപ്പാലിററിയുടെ സംഘടന, നടത്തിപ്പ്, ഇവയെല്ലാം ഇവിടത്തേതിൽനിന്നും വ്യത്യാസപ്പെട്ടാണിരിക്കുന്നത്.

അതിനാൽ മുനിസിപ്പാലിററിക്കു നടത്താൻ സാധിക്കുകയില്ലെന്നു പറഞ്ഞാൽ ഗവമെന്റുതന്നെ നേരിട്ടു നടത്തണം എന്നു വരുമ്പോൾ മുനിസിപ്പാലിററിക്കു ബുദ്ധിമുട്ടുണ്ടാവുകയില്ല. ആ സ്ഥിതിക്കു ഈ ഭേദഗതി ആവശ്യമാണെന്നു തോന്നുന്നതിനാൽ ഞാൻ ഇതിനെ പിൻതാങ്ങുന്നു.

MR. M. GOVINDAN (*Nominated*): Clause 10 of the Bill runs as follows:—

> "Notwithstanding anything contained in Sections 7 to 9, Our Government may in respect of any municipality, after making such inquiry as they may deem necessary, by notification in Our Government Gazette require the Council to prepare, publish and submit for their sanction a draft scheme as respects any land in regard to which a town-planning scheme may be made.
>
> Such requisition shall operate and be treated in every respect as a resolution passed by the Council under Section 7 and the Council shall proceed as if by a resolution the council had decided to prepare the scheme."

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I wish to go a step further and draw the attention of the House to clause 39 (2) which says.

> "If Our Government are satisfied, after giving the Municipal Council or the responsible authority, as the case may be, an opportunity of explanation, that a Municipal Council or a responsible authority has failed to enforce effectively the observance of a scheme which has been finally sanctioned, or any provisions thereof, or to execute any works which under the scheme or this Regulation the Council or the responsible authority is required to execute. Our Government may order the council or the responsible authority to do all things necessary for enforcing the observance of the scheme or any provisions thereof effectively, or for executing any works, which under the scheme or this Regulation, the Council or the responsible authority is required to execute."

MR. RAMA VARMA RAJA (*Edavagai*): Clause 44, which is the subject of our present discussion says:

> "Our Government after consulting the municipality......decide that the interest of town-planning in any particular area will be best served by entrusting it to a special board...............".

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I oppose the amendment for the main reason that it is defective both in expression and in sense. The original provision that is sought to be amended runs thus:

> "When Our Government, *after consulting the Municipal Council*, decide that the interests of the town-planning in any particular area will be best served by entrusting it to a special board........".

As amended the clause would read thus:

> "Our Government may *with the consent of the Municipal Council*, decide that the interests of town-planning in any particular area will be best served by entrusting it to a special board *and when they so decide they may*. ....."

The provision in the Bill is that the Government should be satisfied that there is sufficient ground for them to consider that the interests of town-planning in a particular area would be best served by the creation of a special board. They have to invite the opinion of the Municipal Council on the matter. They have to hear the views of the Municipal Council, weigh them and then come to a decision whether the creation of the special board, known as the '*trust*' is necessary or not.

MR. RAMA VARMA RAJA (*Edavagai*): എന്നു എവിടെ പറഞ്ഞിരിക്കുന്നു.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): എന്നാണ് ഇതിനകത്തെ അർത്ഥം. This is the original provision. The whole thing, Sir, is so natural and is so very easily comprehensible. The Government have to be satisfied as to the necessity for the creation of a board. They have to consult the Municipal Council which should offer its criticisms in the matter. Then the Government have to weigh such criticisms and arrive at a conclusion. The amendment is that the Government may *with the consent of the Municipal council*, do it: not that the Government may decide one way or the other, but that they should decide in a particular way. What is the fun of giving the Government some power and then in the same provision telling them "you shall decide in a particular way". I cannot understand that. Either the decision should be left to Government or the power to decide should be withdrawn from them. There is no sense in providing that the Municipal Council or any other body can ask the Government to decide that the constitution of a trust would be necessary or desirable. If you can leave it to the Government to decide that question, why should you ask the Government to decide it in a particular way? To me, Sir, that is a very absurd proposition.

MR. A. THANU PILLAI (*Trivandrum*): What is the absurd proposition, please?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): There is no meaning in giving complete discretion to a person to decide and saying "It is left to your decision; *but you must get the consent of somebody else* for arriving at that decision". Where is the discretion, then? The Government would be helpless in the matter if this

amendment is carried. They would not be able to exercise the power conferred on them by the provision. The amendment says "Our Government may with the consent of............" ; and so it empowers the Government to do it.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : Is it not possible that the Government *may not* ?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): The Government may or may not do it. The amendment says that the Government may, *with the consent* of the municipality, decide a thing *for themselves* in a particular way. That form, I submit, is very defective. Secondly, suppose the Government are not going to take any move in the matter. "Consent" by one person pre supposes an initial move from someone else. When I am to give consent, that presupposes that there is someone else to take the initiative in the matter. The superior voice sought to be granted to the municipality, by the mover of the amendment may be a very commendable idea in itself. But, that disappears when we interpret it as I have done. Even according to the amendment, the municipality can accord consent; they cannot take any initiative. A Municipal Council may find that a particular area requires town-planning and that the work would be best done by a special board. If they approach the Government with a request to constitute a trust, the Government may say. "Under the Regulation, you can only give your *consent* if *we* take the initiative. You cannot yourselves take the initiative in the matter."

MR. A. THANU PILLAI (*Trivandrum*) : In case the amendment is that the municipality may decide and then move for the appointment of a trust, will it be acceptable to the member ?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : It will be more clear and it will bring out the idea that is sought to be introduced by the mover. I am now attacking the *wording* of the amendment. I may also say that I do not see eye to eye with the member, also in regard to his object in moving the amendment.

MR. A. THANU PILLAI (*Trivandrum*) : Is the objection only to the *wording* of the amendment ?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : I object to the idea also ; but I have not finished my criticism of the form of the amendment. I think Mr. Raja was under a very great misapprehension when he said that, under the Bill, the municipality was entirely helpless in the creation of this special board and that no reference need be made to it before the creation of the special board. If Mr. Raja had had the patience to read ten lines more in the Bill he would have seen that the power that is proposed to be appropriated is only very limited. The Government can appoint, only one-thirdof the members of the trust including the chairman. The rest is left to be elected, under Section 45, sub-section 1 (*b*), by the municipality and other local bodies. Two-thirds form a very appreciable majority. My submission is that there is absolutely nothing apparent in the provisions of the Bill to show that Government want to appropriate for themselves

[Mr. E. V. Krishna Pillai].

any undue power in regard to the creation of these special boards known as '*trusts*'. The framer of this Bill thought that, ordinarily, a municipality may not be in a position to attend whole-heartedly to town-planning in any particular area. Therefore, for the distribution of labour and, for affording greater facilities, for greater attention being bestowed on town-planning, provision has been made for the creation of the board. It will be seen that as soon as a trust is created, all the powers contemplated in favour of the Municipal Council are sought to be given to the trust. I do not mean any disparagement to the existing municipalities or to those who are responsible for the municipal administration in the State. For facilitating work and also for getting the work done in the best way possible, it is fair that Government are allowed to have this power for themselves to the limited extent to which it is allowed by clause 44 of the Bill.

Mr. Raja raised another objection, *viz.*, that the trust is to hand over all its assets and liabilities to the municipality as soon as the work is over and that the municipality is to be held liable for all that. The trust only represents the municipality, and it exists only for the functions that have to be discharged by the municipality. So, it is only natural that the municipality should answer for all that is done by the trust. As observed by Mr. Asan and others, there is clause 10 which gives Government extraordinary powers. There is clause 12 (2), under which every scheme has to be submitted to Government. There are the provisos (2) and (3) to clause 12, under which, if a municipality does not resubmit the scheme, Government may pass their own orders. There is another clause which says that Government can make its own scheme for the municipality. Clause 12 (5) clearly says that the ultimate sanctioning authority is the Government. There is clause 13 (2) under which Government may vary or revoke a scheme. Clause 26 lays down that Government can appoint, of its own accord, an arbitrator. According to clause 29, the approval of Government is absolutely necessary or the diversion of funds known as separate funds, for the purpose of town-planning. Clauses 32 and 35 confer very wide powers upon Government. Clause 41 says that all matters provided here are to be left in the hands of the Government and that they can make rules.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : May I know whether there is any provision whereby the Government can act in spite of the protest of the municipality.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : There *is* a provision like that. Ultimate powers are all with the Government under the preceding Sections. There is no use in our crying "Halt" late in the day. After all, Sir, under clause 44, the interference by Government is limited. Restraint, at the earliest opportunity and within the narrowest possible limits, in regard to the powers of Government should have been thought of when we were considering the preceding clauses. In view of the fact that all the preceding clauses have been allowed to stand, this clause which gives the Government

only very limited powers, essential in the interests of town-planning, should be allowed to remain without any amendment. And, the amendment of the mover would not serve the purpose for which it is intended by the mover. On the other hand, it detracts the facility sought to be given by the Bill for carrying on the work of town-planning efficiently.

MR. K. NARAYANA PERUMAL NADAR (*Agastisvaram*): May I know whether the member subscribes to the opinion that the acute legal acumen of the Law Member is best illustrated in clause 44, and that, of all the clauses in the Bill, that clause is his masterpiece?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Though I cannot raise myself to a white-heat of prophetic fury over this amendment, I cannot, I am sorry, accord my support to the amendment brought forward with the best of motives. I know why Mr. Thanu Pillai does not like the Government having the upper hand in deciding this question. When I asked him the question yesterday, why in the Madras Town-Planning Act such a provision has been allowed to be there, he told me that we must realise the fact that there town-planning and other allied subjects of local self-government are under a Minister responsible to the people, an elected representative of the people. Really, what the amendment wants to convey is that, because the Government is not here, responsible to the people, and because the municipality is a democratic body, the municipality should be given greater powers and that the powers of the Government must be limited. That seems to be the underlying idea of the mover in proposing the amendment. But, Sir, I think my friends who support the amendment should look at this question from a slightly different angle of vision. The most important question is whether we should have town-planning scheme or not, and if we are going to have it, who is to wield the power in the matter. When we were discussing Sections 9, 12, 39 and others under which the Government were empowered to formulate the schemes even if the Municipal Councils did not move in the matter, even if the Municipal Councils did not want town-planning schemes to be introduced, we felt that Government should step into the field and force the municipalities to do it. If the city fathers were not capable of realising the responsibilities of citizenship in some cases, even then, we provided that the Government should make them feel it. Honestly, that was the spirit with which we passed clause 10 which gives the Government the power to require the Council to formulate schemes for town-planning. We did concede the point that, even if the municipalities considered that town-planning was not in the interests of the people living within the municipalities, schemes might be introduced by the Government if they thought it ne,essary.

MR. RAMA VARMA RAJA (*Edavagai*): അവിടെയുള്ളവരും ജനപ്രതിനിധികളല്ലേ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : അവിടത്തെ മെമ്പർമാർ നോക്കുന്നില്ല എന്നല്ല പറഞ്ഞതു്. ഒരുപക്ഷെ നോക്കാതെ ഇരുന്നാലും ഗവണ്മെൻറു ശ്രദ്ധിച്ചു ടൗൺപ്ലാനിങ്ങ്നടത്തണമെന്നാണ് പറഞ്ഞതു്. ഞാൻ മെമ്പർമാരെ ആക്ഷേപിച്ചതായിട്ടു തെററിദ്ധരിക്കേണ്ടആവശ്യമില്ല.

MR. RAMA VARMA RAJA (*Edavagai*): അങ്ങനെനോക്കാതെയിരിക്കാനുള്ള കാരണമെന്താണ്?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): അവർ നോക്കി ചെയ്യുമെന്നൊ ചെയ്യാതിരിക്കുമെന്നൊ ഞാൻ വാദിക്കുന്നില്ല. ഒരുപക്ഷെ ചെയ്യാതെയിരുന്നാലും ഗവണ്മെൻറു ചെയ്യണമെന്നാണു ഞാൻ പറയുന്നതു്.

MR. RAMA VARMA RAJA (*Edavagai*); ജനങ്ങൾക്കു് ഉപദ്രവകരമായിട്ടുവരുന്ന ഒരു കാര്യം മുനിസിപ്പാലിററി വേണ്ട എന്നുപറഞ്ഞശേഷം ഗവണ്മെൻറു് അതു എടുത്തു ചെയ്യുന്നതു നല്ലതാണൊ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : ഇതൊരു ഹൈപ്പത്തെററിക്കൽ ക്വസ്റ്റിനാണ്. അതിനു മറുപടി പറയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഈ ബില്ലിനെ സംബന്ധിച്ചെടത്തോളം ഒരുപക്ഷെ ഏതെങ്കിലും മുനിസിപ്പൽ കൌൺസിൽചെയ്തില്ലെങ്കിലും ഗവണ്മെൻറിനു ചെയ്യാനുള്ള അധികാരം ഉണ്ടായിരിക്കണമെന്നു നാം പറയുകതന്നെ വേണം.

MR. RAMA VARMA RAJA (*Edavagai*): ഗവണ്മെൻറിനു വേണമെന്നു തോന്നിയാൽ മുനിസിപ്പൽകൌൺസിലിനെ ഡിസാൾവുചെയ്തു പുത്തൻ മെമ്പേർസിനെ ആക്കരുതൊ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): അങ്ങിനെയും ചെയ്യാം. ഇതുവരെ കഴിഞ്ഞ സെക്ഷൻസ്കൊണ്ടു നാം തീർച്ചപ്പെടുത്തിയതു അങ്ങിനെയല്ലല്ലൊ ?

I think it has been conceded by the passing of the clauses up to clause 44 that, even if a particular municipality did not, for reasons of its own, want to introduce a scheme, if the Government felt that such a scheme was necessary in a particular locality, that scheme might be introduced by them in spite of the municipality. After having conceded that, is it open to us not to allow the working of the scheme to be *carried out effectively* by Government? The whole Bill would become infructuous and useless if we do not implement the Government with the necessary power to carry out schemes which *we* have allowed them to introduce even against the opinion of the Municipal Councils if need be.

As my friend, Mr. S. Krishna Pillai, has pointed out, we must look into the composition of the trust. The municipality, no doubt, consists of the representatives of the people; so also, the town-planning trust consists of the representatives of the people elected by the municipality. No doubt, it is an indirect method of election; but, for that matter, even the presidents of the municipalities are elected by the members of the municipalities and not by the people direct. If the representative character of the Municipal Presidents is not detracted by the method of indirect election, I do not see any reason why the trust, which is to consist of members mostly elected by the municipalities or similar popular bodies, can be said not to have the representative capacity of the municipalities. It is as much a democratic body as the Municipality.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether he is opposing or supporting the amendment?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I would request the member to listen to me. If he had been listening, he would have understood it; and he need not have asked me this question. I started my speech by saying that I was sorry I could not accord my support to the amendment. That means I oppose the amendment, and am supporting the Bill as it is.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether there is not the presumption that I have been all along listening to him?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I am sorry such a presumption is likely to be wrong in the case of the member.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether the presumption is not in my favour?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I do not wish to adjudicate upon that matter. On account of the fact that we want that, wherever necessary, the town-planning scheme should be introduced and worked out by the municipalities, and that in default, it should be made possible for the Government to work it out, and the fact that the trusts are to consist mostly of the representatives of popular institutions, I do not see my way to accord my support to the amendment. I may again draw the attention of my friend, Mr. Thanu Pillai, to clause 45 (3) which says:

"Our Government shall fix the strength of the trust, the number of trustees to be elected under clause (*b*) of sub-section (1), the local authorities by whom they shall be elected, the number of trustees to be appointed by Our Government under clause (*c*) of sub-section (1) and the number of trustees to be elected or nominated under sub-section (2) and the bodies or associations by whom they shall be elected or nominated: Provided that the number of trustees appointed by Our Government shall not exceed one-third of the sanctioned strength."

So, at the most, only one-third of the members will be nominated. The rest will be the elected representatives of popular bodies, so that a trust will be as much a representative body as any municipality. In these circumstances, I do not think there is any force in supporting this

[Mr. K. Kunjukrishna Pillai.]

amendment which will give a handle to many of the municipalities not to make the working of the town-planning scheme possible if they so desire. With all respect for the representatives of the municipalities, I must say that whenever they have to part with power, as human beings, they will be very reluctant. The Government are reluctant to part with power; any corporate organisation will be. It means the loss of a good deal of patronage, and a large part of the amount collected.

MR E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): What town in Travancore, according to the member's experience, stands in the most urgent need for town-planning?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Alleppey.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Does the present composition of the Municipal Council of Alleppey inspire the member with any confidence that the interests of town-planning in any area in that town will be best served if they are left in the hands of that municipality as the same is constituted at present?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): The member knows it better than myself; I need not express an opinion upon that.

I think many of the municipalities will rise above this human failing, this love of power and patronage. It is just possible that some municipalities may find it difficult to surrender their power and patronage which they would otherwise have if they are allowed to have all these things under them. Some force, therefore, is necessary in some cases. We are agreed that the introduction of the town-planning scheme is necessary, and that it should be introduced at once, and not in 1115 or in any other auspicious year. We must grant that we must have the most effective machinery for the introduction of such schemes and therefore, Government must be implemented with this power. It is on purely practical considerations, because of an earnest desire for the introduction of the town-planning scheme in places where it is necessary, and because of the feeling that if we delay, the cost of town-planning will increase by leaps and bounds, I oppose the amendment that has been moved by my friend Mr. Thanu Pillai.

MR. P. S. MAHOMED (*Nominated*): സർ, മി. താണുപിള്ളയുടെ ഭേദഗതിയെ ഞാൻ അനുകൂലിക്കുന്നു. ഏതു ജനപ്രതിനിധി സ്ഥാപനങ്ങളിലും കാരക്കൂറും മനസാക്ഷിയും ഇല്ലാത്തയാളുകൾ കടന്നുകൂടുക എന്നുള്ളതു് സംഭാവ്യമാണു്. അതുകൊണ്ടു ആ സ്ഥാപനത്തിനു പൊതുവെ അയോഗ്യതയില്ലാതെപോയി എന്നു വിചാരിക്കുവാൻപാടില്ല. പൊതുവെ ജനക്ഷേമകരമായ സംഗതികൾ നടത്തേണ്ടതായിവരുമ്പോൾ ഇങ്ങിനെയുള്ള സ്ഥാപനങ്ങളിൽ ഈ തരത്തിലുള്ള വ്യക്തികളെ പററി ചിന്തിക്കേണ്ട ആവശ്യമില്ലാത്തതാകുന്നു. ഞാൻ മി. താണുപിള്ള ഇവിടെ ഹാജരാക്കീട്ടുള്ള ഭേദഗതിയെ അനുകൂലിക്കുന്നതു ഗവൺമെൻറു ഉത്തരവാദിത്വ-

തോടുകൂടി പ്രവൃത്തിക്കയില്ല എന്നുള്ള വിചാരത്തോടുകൂടിയല്ല. ഗവണ്മെൻറിനു ഒരു ടൌണിൽ സാനിറേറഷനും മററും ഉണ്ടാക്കാനു ഒരു സ്കീം ആവശ്യമാണെന്നു തോന്നി എന്നും, അതിലേയ്ക്കു ചിലവാക്കേണ്ട സംഖ്യ ജനങ്ങളുടെ ധനസ്ഥിതിയനുസരിച്ചു ഭീമമാണെന്നു മുനിസിപ്പാലിററിക്കു ബോധ്യപ്പെട്ടതുകൊണ്ടോ മറെറാ മുനിസിപ്പാലിററിക്കു അതു പെട്ടെന്നു നടപ്പാക്കാൻ പാടില്ലെന്നു തോന്നി എന്നും വരാം. അങ്ങിനെ വരുമ്പോഠം സ്കീം തയ്യാറാക്കുന്ന സംഗതിയിൽ മുനിസിപ്പാലിററിയുടെ സമ്മതമില്ലാതെ ഗവണ്മെൻറു പ്രവത്തിക്കുന്നതുകൊണ്ടു തരക്കേടില്ല. ഇതിലേക്കു നേരിടുന്ന ചിലവു ഭീമമല്ലെന്നു കാണിക്കുന്നതിനു വേണ്ടി ഗവണ്മെൻറു തന്നെ മുനിസിപ്പാലിററിയുടെ ഹിതത്തിനു വിരുദ്ധമായിട്ടാണെങ്കിലും ചെയ്തുകാണിക്കേണ്ടതാണ്.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): സ്കീം എക്സിക്യൂട്ട്ചെയ്യാൻ ഗവണ്മെൻറിനധികാരമില്ലേ?

MR. P. S. MAHOMED (*Nominated*): ഇല്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): ക്ലാസ് നൻ (ഫ)-ൽ എന്തുപറയുന്നു?

MR. P. S. MAHOMED (*Nominated*): അതനുസരിച്ചു ഗവണ്മെൻറിനു തനിച്ചു എക്സിക്യൂട്ടുചെയ്യാൻ അധികാരമില്ല ഗവണ്മെൻറിനു വല്ല അധികാരവും ഉണ്ടെങ്കിൽ അതു ഒരു ബോർഡ് ഉണ്ടാക്കുന്നതിനുമാത്രമേ ഉള്ളൂ. അങ്ങിനെ വരുമ്പോഠം പൊതുവെ മുനിസിപ്പാലിററിക്കുള്ള അധികാരത്തിനു ഭംഗം വരുന്നു എന്നു വിചാരിക്കരുത്. ഇതുനിമിത്തം മുനിസിപ്പാലിററിക്കു സാധിക്കുന്നതിനു വിഷമമുള്ളതായ ഒരു സംഗതിയിൽ ഗവണ്മെൻറു ആ മുനിസിപ്പാലിററിയോടു സഹകരിച്ചു സംഗതിഭംഗിയായി പ്രവൃത്തിച്ചാണു ചെയ്യുന്നതു.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): ഒരു മുനിസിപ്പാലിററി തയ്യാറാക്കിയ സ്കീം ആ മുനിസിപ്പാലിററിയെക്കൊണ്ടു തന്നെ എക്സിക്യൂട്ട് ചെയ്യിക്കുന്നതിനു ഗവണ്മെൻറിനധികാരമുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ഉണ്ട്. അങ്ങിനെ വരുമ്പോഠം ഒരുവഷംകൊണ്ടു ചെയ്യാവുന്ന സംഗതി ആ മുനിസിപ്പാലിററിയുടെ ധനസ്ഥിതിയനുസരിച്ചു പല വഷങ്ങഠംകൊണ്ടു ജനങ്ങളിൽ വലിയ നികുതിഭാരം ചുമത്താതെ ചെയ്തുതീക്കാൻകഴിയും.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Karthikapalli*): ഒരു മുനിസിപ്പാലിററി തയ്യാറാക്കിയ സ്കീം അനുസരിച്ചു പ്രവത്തിക്കാ

[Mr. A. S. Damodaran Asan.]

നോ പ്രവൎത്തിക്കുന്നതിനു സമ്മതംകൊടുക്കാനോ ഒരു മുനിസിപ്പാലിററി തയ്യാറില്ലെങ്കിൽ ആ സ്കീം എങ്ങിനെ നടപ്പിൽവരും?

MR. P. S. MAHOMED (*Nominated*): ഒരു മുനിസിപ്പാലിററി ചെയ്യണമെന്നു ഗവൺമെൻറു നിശ്ചയിക്കുന്ന സ്കീം നല്ലതാണെന്നു മുനിസിപ്പാലിററിക്കു ബോദ്ധ്യംവന്നശേഷവും അതു ചെയ്യാതിരിക്കുന്നുവെങ്കിൽ എൻെറ സ്നേഹിതൻ പറഞ്ഞപ്രകാരം അതിൻെറ കാൺസ്റ്റിററ്യൂഷൻ തന്നെ മാററുന്നതിനു ഗവൺമെൻറിനു അധികാരമുണ്ടു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതു നല്ലതാണെന്നു മുനിസിപ്പാലിററിക്കു ബോദ്ധ്യം വന്നില്ല; അവർ അതു ചെയ്യാൻ തയ്യാറുമില്ല. അങ്ങിനെവരുന്ന സന്ദർഭത്തിൽ അതു നടപ്പിൽവരുത്താൻ എന്താണു് വേണ്ടതു്?

MR. P. S. MAHOMED (*Nominated*): ഈ പ്രവൃത്തിയുടെ ചുമതല വഹിക്കേണ്ട മുനിസിപ്പാലിററി അവസാനംവരെ വേണ്ടെന്നു പറഞ്ഞാൽ അവരുടെ ഹിതത്തിനു വിപരീതമായി ഗവൺമെൻറു ഒരിക്കലും പ്രവൎത്തിക്കരുതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മുനിസിപ്പാലിററി ആദ്യമെതന്നെ വേണ്ടെന്നു പറഞ്ഞാലൊ?

MR. P. S. MAHOMED (*Nominated*): അതു നല്ലതാണെന്നു മുനിസിപ്പാലിററിയെ ബോദ്ധ്യപ്പെടുത്താൻ ശ്രമിക്കണം.

MR. M. GOVINDAN (*Nominated*): മുനിസിപ്പൽറെഗുലേഷൻ ൩൩-ാം വകുപ്പനുസരിച്ചു സൂപ്പർസീഡ് ചെയ്യുവാനുള്ള ഒരധികാരമാണല്ലൊ ഗവൺമെൻറിനുള്ളതു്. ആ സ്ഥിതിക്കു സൂപ്പർസീഡ്ചെയ്തു പ്രവൎത്തിക്കുന്നതുകൊള്ളാമൊ, അതല്ല, ഭിന്നാഭിപ്രായമുണ്ടെങ്കിലും ഗവൺമെൻറിൻെറ യുക്തംപോലെ ഒരു ട്രസ്റ്റ് രൂപീകരിക്കുന്നതിനുള്ള അധികാരം കൊടുക്കുന്നതു കൊള്ളാമൊ?

MR. P. S. MAHOMED (*Nominated*): മുനിസിപ്പാലിററിയുടെമേൽ ഗവൺമെൻറിനുള്ള അധികാരത്തെ സംബന്ധിച്ചിടത്തോളം ഈ അധികാരം ഗവൺമെൻറു വച്ചുകൊണ്ടിരിക്കരുതെന്നും മുനിസിപ്പാലിററിയും ജനങ്ങളും ഒന്നുപോലെ വാദിച്ചുകൊണ്ടിരിക്കുന്നുണ്ടു്. മുനിസിപ്പാലിററിയിലുള്ള സംഗതികൾ മുഴുവനും സ്വാതന്ത്ര്യമായി പ്രവൎത്തിക്കാനുള്ള സൌകര്യം മുനിസിപ്പാലിററിക്കു നൽകുകയാണു് വേണ്ടതെന്നുള്ള സംഗതി ജനങ്ങൾ ഏകോപിച്ചുകൂടി സംസാരിച്ചിട്ടുള്ള ഒരു വിഷയമാണു്,

അതനുസരിച്ച വേണ്ട ഭേദഗതി ചെയ്യുന്നതിനു ഗവണ്മെൻറുഭാഗത്തുനി ന്നുതന്നെ മുമ്പോട്ടുവന്നിട്ടുള്ള. ഈ അവസരത്തിൽ പഴയരീതിയിൽത ന്നെ സകലതും ഗവണ്മെൻറ ചെയ്യുമെന്നുപറയുന്നതു ശരിയല്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : മെമ്പർ ബില്ലിലെ ൩൯ (൨)-ാംവകുപ്പു വായിച്ചിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ഞാനും മെംബറും ഒരുമിച്ചി രുന്നുതന്നെ വായിച്ചിട്ടുണ്ട്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): രണ്ടാം വകുപ്പിൻെറ അത്ഥം മനസ്സിലാക്കിയിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*) : മെമ്പറെപ്പോലെതന്നെ ഞാനും അതിൻെറ അത്ഥം മനസ്സിലാക്കീട്ടുണ്ട്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : ആവ കുപ്പിൻെറ അത്ഥമെന്താണ്?

MR. P. S. MAHOMED (*Nominated*) : അതു മെംബർതന്നെ നോക്കിമ നസ്സിലാക്കണം.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): രണ്ടാമ ത്ര ഉപവകുപ്പിൻപ്രകാരം ഗവണ്മെൻറിനു സകല അധികാരവും കൊടു ക്കുന്നതു മെമ്പർക്കു സമ്മതമാണൊ?

MR. P. S. MAHOMED (*Nominated*): ആ അധികാരം ഗവണ്മെൻറ എ ടുക്കുന്നതിൽ വിരോധമില്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : ആസ്ഥി തിക്കു ഭേസ്റ്റിനെ സംബന്ധിച്ച മെംബറുടെ അഭിപ്രായവ്യത്യാസത്തിൻെറ ആവശ്യമെന്താണ്?

MR. P. S. MAHOMED (*Nominated*): ഗവണ്മെൻറ ബഡ്ജറ്റിൽ തുക കൊള്ളിച്ചും മററും വളരെ ആലോചിച്ചേ പ്രവൃത്തിക്കയുള്ളൂ. പണ ത്തിൻെറ സ്ഥിതിപോലെ ചിലവാക്കും. ഈ കൌൺസിലിൽതന്നെ പല സംഗതികൾക്കും സാമ്പത്തികനില അനുവദിക്കുന്നില്ലെന്നു ഗവണ്മെ ൻറുഭാഗത്തുനിന്നും പറയാറുണ്ടല്ലൊ.

MR. A. S. DAMODARAM ASAN (*Mavelikara* cum *Kartikapalli*): അങ്ങിനെ ഗവണ്മെൻറ പറയുമ്പോൾ അതുപോലെ സാധിച്ചുതരണമെ ന്നല്ലെ നമ്മൾ പറയാറുള്ളതു ?

MR. P. S. MAHOMED (*Nominated*): പല സംഗതികളിലും ഗവ ണ്മെൻറങ്ങിനെ പറഞ്ഞാൽ ഉടനെ സാധിച്ചു കിട്ടണമെന്നു തോന്നാറില്ല.

ശരിയായ സ്ഥാനങ്ങളിൽ ഇരുന്നു പ്രവർത്തിക്കുന്നവക്കു മാത്രമെ പണത്തിൻെറ വിഷമം അറിയാൻ തരമൊള്ളൂ. അവക്കു മാത്രമെ പണത്തിൻെറ വിഷമത കാണാനും സാധിക്കുകയൊള്ളൂ. പണം ഉണ്ടാക്കുന്ന വിഷയത്തിലൊ പണം കടം വാങ്ങിയെങ്കിലും ചിലവുചെയ്തശേഷം അതു തിരിച്ചുകൊടുക്കുന്നവിഷയത്തിലൊ യാതൊരുത്തരവാദിത്വവുമില്ലാത്ത ഒരു ബാഡിയെ സൃഷ്ടിക്കരുതെന്നുള്ളതാണു് എൻെറ അഭിപ്രായവ്യത്യാസം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) ഈ ബാഡിയെ സൃഷ്ടിക്കുന്നതാരാണു്?

MR. P. S. MAHOMED (*Nominated*) : ഈ റെഗുലേഷൻ.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) ഈ റെഗുലേഷന് ആരാണു് അധികാരംകൊടുക്കുന്നതു്?

MR. P. S. MAHOMED (*Nominated*): ഗവണ്മെൻറാണു്. കടംവാങ്ങിക്കാം, മുനിസിപ്പൽ കാൺട്രിബ്യൂഷൻവാങ്ങിക്കാം, ഇതിനൊന്നിനും സൌകര്യവും ഉത്തരവാദിത്വമില്ലാത്ത ഒരു ബാഡിയെ ഈ ജോലി ഏല്പിക്കരുതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) :ഗവണ്മെൻറിനു ഈ സൗകര്യമുണ്ടൊ?

MR. P. S. MAHOMED (*Nominated*) : ഗവണ്മെൻറു പണം ആലോചിച്ചു ചിലവുചെയ്യുകയൊള്ളൂ.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : സെക്ഷൻ ൩൯ (൨) അനുസരിച്ചു ചിലവുചെയ്യുന്നപണം മുനിസിപ്പാലിററികൊടുക്കേണ്ടതാണെന്നറിയാമൊ?

MR. P. S. MAHOMED (*Nominated*) : പണം ഉണ്ടാക്കുന്നതിനു പ്രയാസമില്ല. എന്നാൽ പണം ഉണ്ടാക്കുമ്പോഠം അതിലുള്ള വിഷമതകളെപ്പററി ഗവണ്മെൻറു ഉദ്യോഗസ്ഥന്മാരോടു ആലോചിക്കും.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഗവണ്മെൻറുനേരിട്ടു പ്രവത്തിക്കുന്നതിൽ മെമ്പക്കു വിരോധമില്ലേ?

MR. P. S. MAHOMED (*Nominated*) : അതാതു മുനിസിപ്പാലിററിയുടെ സാമ്പത്തികനിലയനുസരിച്ചു ഗവണ്മെൻറു നേരിട്ടു പ്രവത്തിക്കുന്നതിൽ ഞങ്ങഠക്കു വിരോധമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഈ ജോലി ഒരു ഗവൺമെൻറുദ്യോഗസ്ഥനെ ഏല്പിക്കുന്നതാണു് നല്ലതെന്നാണു് മെമ്പർ വിചാരിക്കുന്നതു അല്ലേ?

MR. P. S. MAHOMED (*Nominated*): ബോർഡിനെക്കാളും ഭേദം ഗവൺമെൻറുദ്യോഗസ്ഥനെ ഏല്പിക്കുകയാണു് നല്ലതെന്നു ഞങ്ങൾ വിചാരിക്കുന്നു.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): മെമ്പർ "ഞങ്ങൾ" എന്നുപറഞ്ഞതു് ആരെ ഉദ്ദേശിച്ചാണു്?

MR. P. S. MAHOMED (*Nominated*): ഞാൻ മുനിസിപ്പാലിററികളെ ഉദ്ദേശിച്ചാണു് പറഞ്ഞതു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): അവരെ പ്രതിനിധീകരിയ്ക്കുന്നതിനു മെമ്പറെ അധികാരപ്പെടുത്തിയിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): അതെ. ഇവിടെയുള്ള മുനിസിപ്പാലിററിയോടു സംബന്ധപ്പെട്ടവൎക്കെല്ലാം എൻെറ അഭിപ്രായം തന്നെയാണുള്ളതു്.

ആയതുകൊണ്ടു് ഇങ്ങനെ ബോർഡിനു ഉത്തരവാദിത്വമില്ലാതിരിക്കുന്നിടത്തോളംകാലം ഈ ജോലിക്കുവേണ്ടി ഒരു ബോർഡു മുനിസിപ്പാലിററിയുടെ സമ്മതം കൂടാതെ ക്രീയേററു ചെയ്യുന്നതു അനാവശ്യമാണു് എന്നാണു് എൻെറ അഭിപ്രായം.

MR. M. GOVINDAN (*Nominated*): എന്തു ക്രീയേഷനാണു്?

MR. P. S. MAHOMED (*Nominated*): സ്പെഷ്യൽ ബോർഡു്.

MR. M. GOVINDAN (*Nominated*): അതിലും ജനപ്രതിനിധികളില്ലേ?

MR. P. S. MAHOMED (*Nominated*): ഉണ്ടു്. പക്ഷെ ആ സ്ഥാപനത്തിനു ഉത്തരവാദിത്വമില്ല. അവനവൻ ചെയ്യുന്ന പ്രവൃത്തിയുടെ ഉത്തരവാദിത്വം അവനവനുണ്ടായിരിക്കേണ്ടതാണു.

MR. M. GOVINDAN (*Nominated*): ട്രസ്റ്റിൻെറ പ്രവൃത്തിതീരുന്നതുവരെ അവർ പുറപ്പെടുന്ന എല്ലാകാൺട്രാക്ററിലും ഉത്തരവാദിത്വമില്ലായിരുന്നുവെന്നു് എങ്ങനെ അറിയാം?

MR. P. S. MAHOMED (*Nominated*): അവൎക്കു ചിലവുചെയ്യുന്നതിനും കടംവാങ്ങുന്നതിനുമുള്ള ഉത്തരവാദിത്വമുണ്ടു്. എന്നാൽ കടം വാങ്ങിയതു കെട്ടുന്നതു തീൎക്കുന്നതിനുള്ള ഉത്തരവാദിത്വമില്ല. ഒരു വേല അവർ തുടങ്ങി പകുതിയാക്കിയിടുന്നു എന്നു വിചാരിക്കുക. അവരുടെ ദുഷ്യം കൊണ്ടുതന്നെ അതു പൂൎത്തിയാക്കാൻ സാധിക്കാതെവരും. അങ്ങിനെ വരുമ്പോൾ അവരെ പിരിച്ചുവിടാം. അതുവരെ ചെയ്തുതീൎത്ത

[Mr. P. S. Mahomed.]

ത്തും, മേൽചെയ്യാനുള്ളതുമായ വേലകൾക്കു പിന്നെയും മുനിസിപ്പാലിററി തന്നെ പണം ഉണ്ടാക്കണം; അതുപോലെതന്നെ വസ്തുക്കൾക്കു കാമ്പൻസേഷൻ കൊടുക്കണം; ഈ വേലകളിൽ വല്ലവക്കും നഷ്ടമുണ്ടെങ്കിൽ നഷ്ടപരിഹാരം കൊടുക്കണം; ഇതൊക്കെ മുനിസിപ്പാലിററിയിൽനിന്നു തന്നെ വേണ്ടിയിരിക്കുന്നു.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): ഈ ട്രസ്റ്റിലും മുനിസിപ്പാലിററിയിലുള്ള ആളുകളില്ലേ?

MR. P. S. MAHOMED (*Nominated*): രണ്ടോ മൂന്നോ പേരെയൊള്ളു.

ഇങ്ങനെ വരുന്ന സന്ദർഭത്തിൽ മുനിസിപ്പാലിററിക്കു പണം ഉണ്ടാക്കാതെ നിവർത്തിയില്ല എന്നു വരും. അതിനായി ഗവർണ്മെന്റിനോടു സങ്കടം പറയണം. ഇന്നു ഓരോ മുനിസിപ്പാലിററികളും ജനങ്ങളുടെ സ്ഥിതിയനുസരിച്ചും സാമ്പത്തീക നിലയനുസരിച്ചും റഗുലേഷൻ പ്രകാരമുള്ള മുഴുവൻ സംഖ്യയും ഈടാക്കുന്നില്ല. കാരണം അതിൽ പല വിഷമതകളും ഉള്ളതാണു്. ഗവണ്മെന്റു ആ കരങ്ങളെല്ലാം പിരിച്ചു കൊള്ളുവാൻ പറയും.

MR. M. GOVINDAN (*Nominated*): മുനിസിപ്പൽ റഗുലേഷൻ ൨൪൯-ാം വകുപ്പിൽ ഒരു ഏററവും പ്രധാനമായ സംഗതി ഗവണ്മെന്റിനു ചെയ്യണമെന്നു തോന്നി മുനിസിപ്പാലിററിയോടു ആവശ്യപ്പെടുകയും മുനിസിപ്പാലിററി അതു ചെയ്യാതിരിക്കയും ചെയ്യുന്ന വിഷയത്തിൽ ഗവണ്മെന്റിൽ നിന്നും ഒരുദ്യോഗസ്ഥനെ നിയമിച്ചു പണം ചിലവു ചെയ്തു ആ ചിലവു മുനിസിപ്പാലിററിയോടു ആവശ്യപ്പെടാമെന്നൊരു വ്യവസ്ഥയുണ്ടെന്നറിയാമൊ?

MR. P. S. MAHOMED (*Nominated*): എനിക്കു നല്ലവണ്ണം അറിയാം.

MR. M. GOVINDAN (*Nominated*): അങ്ങിനെയിരിക്കുമ്പോൾ ഗവണ്മെന്റു കുറെ ജനപ്രതിനിധികളെക്കൊണ്ടു ചെയ്യിക്കുന്നതല്ല കുറേക്കൂടിനല്ലതു ?

MR. P. S. MAHOMED (*Nominated*): ഗവണ്മെന്റു ഒരുദ്യോഗസ്ഥനെ കൊണ്ടു ചെയ്യിക്കുകയാണു് നല്ലതു. അയാളുടെ പ്രവൃത്തി ദൂഷ്യത്താൽ ഉദ്യോഗം കൂടി നഷ്ടമായി പോകുമെന്നുള്ളതിനാൽ അയാൾ അതിൽ അശ്രദ്ധകാണിക്കുകയില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ട്രസ്റ്റിലുള്ള മുനിസിപ്പാലിററി പ്രതിനിധികൾ ശരിയായി പെരുമാറിയില്ലെങ്കിൽ അവർ തിരിച്ചു വരുമ്പോൾ നിങ്ങൾക്കു അവരോടു സമാധാനം ചോദിക്കരുതൊ?

MR. P. S. MAHOMED (*Nominated*): ഒന്നു പ്രവൎത്തിക്കുന്നതിനു ആരംഭിക്കുമ്പോൾ തന്നെ അതു ഉത്തരവാദിത്വത്തോടുകൂടിയായിരിക്കണം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒരു മുനിസിപ്പാലിററിയുടെ തീരുമാനം ആ പട്ടണാതൃത്തിയിലുള്ള ജനങ്ങളുടെ അഭിപ്രായമായി ഗണിക്കരുതൊ?

MR. P. S. MAHOMED (*Nominated*): അങ്ങിനെ തന്നെ ഗണിക്കണം.

ഇപ്രകാരം ഈ ബോർഡുപകുതി ജോലിചെയ്തു നിറുത്തുന്നപക്ഷം അതു പൂൎത്തിയാക്കാൻ മുനിസിപ്പാലിററി നിർബന്ധിതരാകും. അപ്പോൾ അവർ ജനങ്ങളുടെ നികുതിഭാരം വർദ്ധിപ്പിപ്പാൻ തയ്യാറാകണം. എന്നാൽ മാത്രമെ മുനിസിപ്പാലിററിക്കു നഷ്ടം കൂടാതെ കഴിക്കാൻ സാധിക്കുകയൊള്ളു.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether all the Municipal Presidents in the State would support this view or oppose it?

MR. P. S. MAHOMED (*Nominated*): I am sure they would *support* it.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether Mr. P. S. Mahomed is the President of a Municipality?

MR. P. S. MAHOMED (*Nominated*): Yes.

അതു കൊണ്ടു പ്രസിഡന്റിന്റെയോ മുനിസിപ്പാലിററിയുടെയോ അധികാരത്തിനു യാതൊരു ഭംഗവും വരുന്നില്ല. ഇന്നു തന്നെ ഓരോ സംഗതികൾക്കായി മുനിസിപ്പാലിററിയിൽ നിന്നും സബ്കമ്മിററികൾ നിശ്ചയിച്ചു അവരെ കൊണ്ടു ആ സംഗതികൾ നടത്തിച്ചു വരുന്നുണ്ടു്. മുനിസിപ്പാലിററി സബ്കമ്മിററികൾ ഉണ്ടാക്കുന്നതിനു പകരം ഗവണ്മെൻറു അതു സൃഷ്ടിക്കുന്നു എന്നെയൊള്ളു. എന്നാൽ ഇതു മുനിസിപ്പാലിററിയുടെ സമ്മതത്തോടുകൂടിയാണെങ്കിൽ വിഷമമുണ്ടാകാൻ തരമില്ല.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): മുനിസിപ്പാലിററിയുടെ സമ്മതമുണ്ടെങ്കിൽ എന്തു കൊണ്ടാണ് വിഷമം വരികയില്ല എന്നു പറഞ്ഞതു്?

MR. P. S. MAHOMED (*Nominated*): ജനങ്ങൾക്കുപദ്രവമില്ല എന്നു മുനിസിപ്പാലിററിക്കുവിശ്വാസം വന്നാൽ മാത്രമെ അവർ സമ്മതംകൊടുക്കയൊള്ളു. ടൌണിന്റെ ഗുണത്തെ മാത്രം നോക്കി ഗവണ്മെൻറിനു ചെയ്യാൻ സാധിക്കും. എന്നാൽ അതു പോരാ, ജനങ്ങളുടെ സുഖസൌകൎയ്യാദികൾ കൂടിനോക്കണം.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): ഗവൺമെൻറിന്റെ ജഡ്ജ്മെൻറനുസരിച്ചുചെയ്താൽ തെററുവരാം; മുൻസിപ്പാലിററിയുടെ ജഡ്ജ്മെൻറനുസരിച്ചുചെയ്താൽ തെററുവരികയില്ല അല്ലെ?

MR. P. S. MAHOMED (*Nominated*) : ജനങ്ങളുടെ സാമ്പത്തികനില സുഖം മുതലായവയെകുറിച്ചുള്ള അറിവു മുനിസിപ്പാലിററിക്കു കിട്ടുന്നതുപോലെ ഗവൺമെൻറിനുകിട്ടാൻ സാധിക്കയില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ജനങ്ങളുടെ ഹിതമനുസരിച്ചു ഭരണം നടത്തുന്ന ഒരു ഗവൺമെൻറാണൊ നമുക്കുള്ളതു്?

MR. P. S. MAHOMED (*Nominated*) : ജനങ്ങളുടെ ഗുണത്തിനുവേണ്ടി കഴിയുന്നതും പ്രവർത്തിക്കണമെന്നു ആഗ്രഹിക്കുന്ന ഒരു ഗവൺമെൻറാണു എന്നാണ് എന്റെ അഭിപ്രായം. അതുകൊണ്ടു ഈ ഭേദഗതി ആവശ്യമാണെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ വിരമിച്ചുകൊള്ളുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I rise to oppose the amendment moved by my friend Mr. Thanu Pillai. When we accepted the principle of this Bill, it was admitted by the House that some scheme for town-planning was absolutely necessary, and that a law must be passed to enable the Government to prepare and carry out schemes for town-planning. The question now before the House is whether the constitution of special boards for the carrying out of town-planning scheme should be with the *consent* of the municipalities. When this Bill was discussed at the introduction stage, the question was raised whether, even against the opinion of a municipality, the Government should impose this scheme upon such municipality; and the general opinion of the House was that in the interests of the health of the people of the town, if the Government considered that the town-planning would be conducive to their condition, Government should have that power. The Select Committee also, in their report, has not effected any alteration which would take away from the Government the power to get schemes prepared and executed even if the municipality is not prepared to agree to it. In this Bill, it will be found that in clause 10, it is clearly stated that, even when a municipality does not agree to the scheme, Government by a declaration, could say that the town-planning scheme is necessary and that the municipality should submit a scheme. Such declaration will have as much effect as a resolution passed by the municipality. The scheme has then to be approved by Government and everything will be got ready even if the municipality puts obstacles in the way of the Government at every step. Now the question is whether, after the whole scheme has been prepared, the municipality must be enabled to make it infructuous. My friend, Mr. P. S. Mahomed, was saying that in case a special board is not created and the municipality is to undertake the

scheme, the municipality would be able to adjust the working of the scheme according to its means. He said that the municipality will either curtail the expenditure to some extent or carry out the scheme in a number of years so that its purse may not be unduly strained. The question is whether the Government should be disabled from proceeding further, because the municipality has been opposing the town-planning scheme from the very start and has not agreed to the appointment of a special board.

I asked Mr. P. S. Mahomed what course the Government should adopt in case the municipality does not agree to the appointment of a special board; he said that the municipality might carry out the scheme in the way it chooses. And I asked him what would be his position in case the municipality does not carry it out; the answer was that the Government have the power to compel the municipality to do it.

MR. A. THANU PILLAI (*Trivandrum*): Does the member mean to say that according to the Bill, in every case a town-planning scheme is to be put into effect, a trust is necessary?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If that were so there would not have been any necessity for this provision; because clause 44 says:

> "Government, after consulting the Municipal Council, *decides that the trust is necessary*.................",

It is therefore clear that a trust is not necessary in every case. Probably, even if the municipality has been opposing the town-planning scheme at the start, at a later stage it may think that the scheme may be started and worked out. But, there may arise certain other cases in which the municipality may stick to its previous decision. In such cases it will be possible for the Government effectively to carry out the scheme which has been prepared at very great expense to the Government and to the municipality. My friend, Mr. P. S. Mahomed, was saying that he would prefer the execution of the scheme by the Government to its being entrusted to a special board consisting of *non-officials elected* and nominated by the Government. I am extremely sorry that my friend thinks that persons elected by the general public would not feel the responsibility which the officers of Government would feel. I may say that, in my opinion, persons elected by the people, directly or indirectly, will have a greater sense of responsibility than those appointed by the Government or, for that matter, even by the municipality.

MR. A. THANU PILLAI (*Trivandrum*): Does the member really concede that?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Why should I '*concede*' it? I have stated that it is my opinion that officers appointed by Government will feel a lesser responsibility than persons elected by the people. Officers appointed by Government are responsible only to the Government. But the representatives of the

[Mr. A. S. Damodaran Asan.]

people will feel their responsibility to the Municipal Council and to the public in general. I would even prefer to claim that it is *my own* opinion; it is not the opinion of anybody else for me to *concede.*

MR. A. THANU PILLAI (*Trivandrum*): So, does not my friend think that the municipality is a better body than the Government to decide matters vitally affecting the municipality, namely, whether a trust should be created or not?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It is because the municipality is a better body than the Government to decide matters municipal that municipalities are constituted. The question is whether, in carrying out the town-planning scheme, the representatives of the people would not be a more efficient body than the officers of Government or of municipality. I was referring to what Mr. P. S. Mahomed said. He said, that if the municipality did not carry out the work, the Government would have the option of dissolving the municipality. Why should the Government dissolve a municipality simply because it fails to carry out the town-planning scheme? I think it is not necessary. It does not arise in view of this legislation. I think it would be going out of the way if the Government dissolve the Municipal Council simply because it did not agree with the Government on a particular point.

MR. P. S. MAHOMED (*Nominated*): If the Government is persistent?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): And if the municipality is recalcitrant, Government will, of course, carry out the scheme. The trust created consists of members, two-thirds of whom are elected non-officials; and the municipality also is a non-official body. When a particular non-official body is not prepared to co-operate in the carrying out of the scheme, why not appoint another *non-official* body, with an elected non-official majority, to carry out the same scheme? So, my view of this matter is that the amendment proposed by Mr. Thanu Pillai will only enable the municipality, the attempts of which have been failing till the last to defeat the object of Government in carrying out the town-planning scheme.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Sir, I find one difficulty in supporting the amendment as proposed by Mr. Thanu Pillai. By the amendment, the object of the mover is not achieved in any way. The objection to the original clause, as pointed out by the mover, is that an independent body is created which is not responsible for finding money but which has the liberty of spending money belonging to the municipality. It is to prevent such an anomalous state of things that the present form of amendment is proposed to be moved. According to section 44 (1), a separate body could be created only after consultation with the municipality and the constitution of that body is defined in clause 45 (1). The amendment concedes that an independent body may be created, but it insists on having the actual *consent* of

the municipality obtained beforehand rather than simply knowing the opinion of the municipality on sheer *consultation.* Anyhow, that body is an entirely independent body, independent of the Government as also of the municipality. My submission is that, when an independent body is created either *with the sanction* of the municipality or *without the sanction* of the Municipality, it should have full power of spending money in the way it thinks proper; the amendment does not contemplate to have any check by the municipality on the expenditure incurred by the independent body known as the trust. Therefore, the object in preventing the apprehended evil will not be achieved merely by the amendment now proposed by Mr. Thanu Pillai Whether the municipality agrees at the first stage, to the creation of the independent body, or whether it does not agree, the powers of the independent body created are not altered in any way. Therefore, I do not see how, by the amendment the object of the mover would be achieved. On this short ground I oppose the amendment.

MR. M. GOVINDAN (*Nominated*): Sir, I oppose the amendment. There has been so much spoken about the amendment that there is very little remaining for me. My chief point is that the mover does not gain his point by this amendment, as my friend has said just now. The only difference that will be effected by the amendment is that, while under the clause, the municipality will have only to be *consulted,* its *consent* will be necessary, for the creation of the town-planning trust, if the amendment is carried. Now, the chief responsibility to see that the sanitary condition, amenities and convenience of the present and future inhabitants of the State including the inhabitants of the municipal areas, rests with the Government. The municipal bodies are created to accomplish that object. The Municipal Regulation, V of 10/5, contains several provisions for enforcing the decrees of Government through orders of Government. There is the penalty of supercession.

MR. A. THANU PILLAI (*Trivandrum*): Is the member aware that there is a demand for modifying the existing law on the matter?

MR. M. GOVINDAN (*Nominated*): Yes, I am aware of it. I may say positively that it is impossible to create a state within a state; and the primary responsibility of seeing to the convenience of the people should rest with the Government always. The Government has to *consult* the municipality. That is what the clause says. That is quite all right. How can it be said that we should amend the clause in such a way as to make the municipal bodies as co-ordinate bodies with the Government?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does not the member think that the object of clause 10 can be achieved by asking the Municipal Council to make its choice first? Instead of saying "Government, after consultation with the municipality, shall constitute the board", it may be stated that, *if a Municipal Council does not do it,* the Government may do it as stated in clause 10, reserving with the Government the power to do it ultimately, only if the Municipal Council

[Mr. S. Krishna Pillai.]

does not do it. Does not the member think that the right of choice must *in the first instance*, vest with the municipality and that the Government should interfere only if the municipality does not do it?

MR. M. GOVINDAN (*Nominated*): I have no objection to that.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does not the present amendment virtually bring that into effect?

MR. M. GOVINDAN (*Nominated*): I do not think so. If the municipality does not consent, and if the Government have to adopt coercive measures, it will mean supersession. As regards the mere terminology, I believe Mr. E. V. Krishna Pillai was not very serious when he objected to the amendment on that ground. I do not think there is any serious flaw in the wording of the amendment. That I concede. But in substance, it will only *nominally* add to the powers of the muncipality without *substantially* making any addition to their powers, because, other provisions are already in the Statute which make the Muncipalities subordinate to the Government and which make them liable to be led by Government in matters like this. Under such circumstances, to make a mere isolated provision and merely to add the word "*consent*", instead of "*consult*", simply to raise *verbally* the position of the municipality, is not quite useful.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Suppose a municipality is willing to make its own choice, and a proper choice. Under such circumstances, does not the member think that the voice of the municipality must predominate over that of Government?

MR. M. GOVINDAN (*Nominated*): I am agreeable to that. But in clause 44, there is no such question of the municipality first choosing to constitute the trust. The question now under consideration is, what is to be done if the municipality is *not* willing to have the trust.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Suppose a municipality *is* willing to have a trust. I am asking the member whether, the municipality may not be given an opportunity to decide the question first. The Government need do it only if the municipality *refuses* to do it. Will not my friend give the municipality an opportunity to constitute the trust itself, if it is prepared to do it, instead of the Government doing it and merely *consulting* the municipality?

MR. M. GOVINDAN (*Nominated*): Mere consultation is quite enough. That is *my* position.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Nothing more is necessary? Is that the position of the member?

MR. M. GOVINDAN (*Nominated*): Nothing more is necessary; nor will the alteration of *this* clause alone give the municipalities anything more, in the face of the provisions we have already enacted. That is my position.

MR. S. KRISHNA PILLAI (*Karunagapalli*): So, according to the member, Government must always be the ultimate authority to decide whether the town-planning scheme in a particular place must have a trust or not?

MR. M. GOVINDAN (*Nominated*): It is safer to leave it to Government; because it is the Government that is mainly concerned with town planning throughout the State. They may have a costly expert, who may go round from town to town and have regular, uniform schemes. Suppose one municipality—I do not want to cast any reflection on any municipality; I am myself member of a municipality......

MR. A. THANU PILLAI (*Trivandrum*): May I know whether my friend is a nominated or an elected member?

MR. M. GOVINDAN (*Nominated*): That question is irrelevant.

MR. A. THANU PILLAI (*Trivandrum*): It *is* relevant.

MR. M. GOVINDAN (*Nominated*): I can assure this House that there would no objection forthcoming from any municipality. It is quite possible, as Mr. Asan said, to imagine that there may be some frivolous objection. It may be that Government and a particular municipality have some little difference of opinion on certain points, and some feeling of strain. It is likely in such cases that the Municipality stands in the way of the town-planning scheme being worked by a trust which, according to the Government would be absolutely necessary in the interests of the town-planning scheme. I may, in this connection, draw the attention of the House to one important point. Under clause 10, Government have the dominent voice in saying that the scheme must be adopted by the Municipality even if it does not want it. Government's decision in the matter is to be taken as the decision of the municipality itself. The only question in this clause is about the carrying out of the scheme. If we stop after the formulation of the scheme, it would be absolutely academical, and there would be no practical utility at all. We have to carry out the scheme; and the best method of doing it, according to the idea of Government, who have got responsible agents for giving competent advice (much more competent persons than our municipalities), is that it should be carried out by means of a trust. It is mere sentiment to say that the municipality should *consent*. Government may *consult* the municipality and consider their view point also. Government, it will be admitted, have no axe to grind in this matter.

MR. A. THANU PILLAI (*Trivandrum*): Is it the suggestion that the members of the municipality have their own axes to grind?

MR. M. GOVINDAN (*Nominated*): No; I am simply saying that the Government have no axe to grind. Anyway, we are not now concerned with axes of individuals; they may or may not have axes to grind. I, therefore, strongly oppose the amendment of Mr. Thanu Pillai.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): Sir, I rise to oppose the amendment brought forward by Mr. Thanu Pillai. I do it only on a short ground. The matters that are to be dealt with in a town-planning scheme are mentioned in clause 3 of this Bill. I find, on a comparison of this clause with the corresponding Sections in the Municipal Regulation—I believe, Sections 58 and 59—

[Mr. S. Chattanatha Karayalar.]

which lay down the functions obligatory and discretionary of the Municipal Council that there are certain matters which have not been dealt with in the Sections of the Municipal Regulation. For instance, I may mention that matters such as providing transport facilities, preservation of objects and buildings of archæological interest have not been provided for in the Municipal Regulation though such matters have been specifically provided for in this Bill. It would therefore be necessary, in the execution of town-planning schemes (which may most probably include these matters which I have just now mentioned), to include persons who are experts in such matters. That is why, I believe, under clause, 44 which we are now considering, the trust, is to include persons representing transport corporations and other bodies. These trusts may have to deal with matters beyond the scope of the functions of municipalities according to the Municipal Regulation. It is therefore necessary for the Government to take powers to provide for the c.eation of trusts of the nature defined in this clause. I may also bring to the notice of this House that it was found necessary, in the working of the Madras town-planning scheme, to create similar trusts for working the scheme known as the Mambalam Extension Scheme. It was found absolutely necessary to create such trusts. That scheme, I believe, is being worked out by special trusts with representatives of special interests in such trusts. I think that the Government should have powers to create trusts of the nature defined in this clause. I therefore do not find my way to support the amendment brought forward by Mr. Thanu Pillai.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Sir, the question is whether it would be enough if the municipality is merely *consulted* before a town-planning trust is constituted or whether it should be provided that the municipality's *consent* must be obtained before a trust is created. There is absolutely no trouble in cases where there is no difference of opinion between the municipality and the Government. Difficulty arises only in cases where there *is* difference of opinion between the Government and the municipality. My own opinion is that the creation of these trusts would be more a source of advantage to the people than otherwise. And, the provision in the Bill itself is that the majority of the trust should consist of elected representatives of representative bodies including the municipality itself. There is a specific provision that at least two members of the trust must be elected representatives of the municipality. These two members could be expected to represent the view point of the municipality in regard to town-planning. Besides the municipality, there would also be representatives elected by transport companies, chambers of commerce, co-operative societies and similar other bodies. Therefore, considering the nature of the constitution of the trust, I should think that it will be a very responsible body, more responsible than the municipality itself. But in this matter of town-planning, what is wanted mainly is co-operation between the people and the Government. If one views

the other with suspicion, practically nothing could be achieved in the interest of town-planning. In a matter like this, I think it would not be fair on our part to view the Government with suspicion as we generally do in regard to other matters. Again, the members of the Municipal Council are likely to be guided by the views held by the rate-payers who are usually averse to any kind of change. It is quite likely that the masses do not favour the town-planning scheme. They would consider town-planning a novel scheme and would raise all manner of opposition against it. In such a matter, therefore, in the interests of the State as a whole, for which Government are responsible, it would, I think, be advisable for us to leave it to Government to choose the best machinery to put into effect the beneficial scheme of town-planning. It is well known that the interests of the members of Municipal Councils are almost always parochial. The consideration and execution of town-planning schemes must be left to persons who have a broader outlook, because it is not only the interests of the area within municipal limits that are involved in town-planning. The State as a whole has to be considered and the rural areas adjoining municipal towns have also to be taken into acccount. It is a matter in which, as has been laid down by the Select Committee itself, a certain compulsion from Government is absolutely necessary. It is to improve the general health of the people as a whole that town-planning schemes are sought to be introduced. In the initial stages a good deal of opposition from the masses is very likely for the simple reason that they are conservative and averse to any change. It is very unlikely that they realise that the change is intended to *improve* their condition. They always look upon new schemes with distrust, because they are unable to visualise all the wholesome changes that would be effected by such beneficial schemes. This fact has been recognised by this Council, and that was why the majority of the members here have agreed to vest Government with a certain amount of power to compel the people in this matter; I daresay, we, on this side of the House, will not do it at all under ordinary circumstances. That being so, I should think that the Government should have power also to *carry out* the town-planning scheme in the best manner possible. Under the clause now in question, Government are not going to take the whole responsibility upon themselves. They are willing to take the people into partnership. The trust is to be constituted only *after consulting* the municipality. I therefore think *that no amendment* is necessary.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to oppose the amendment. It has already been opposed from many view-points, and I shall not detain the House by any reitration. I only wish to draw the attention of the House to one point. Ordinarily, it is the Municipal Council that has to carry out the town-planning scheme. But, it may sometimes happen that it is desirable to have the town-planning scheme put into effect by the agency of a special board, or trust as it is called, constituted for the purpose. That it may so happen is conceded by Mr. Thanu Pillai. But what he wants is that such trusts should be constituted only with the *consent* of the

[Mr. Kayalam Paramesvaran Pillai.]

municipality. He is by implication agreeable to the special board being constituted if the interests of town-planning require it, or, to put it shortly, if public interests require it. Mr. Thanu Pillai, however, wants that the special board should not be constituted unless the Municipal Council agrees to it, whereas the clause in the Bill only provides that the Government should *consult* the municipality and then constitute the board. The real situation, then, is something like this. On the one side there is the Municipal Council whose duty is to formulate and carry out the town-planning scheme if it is considered necessary. On the other side, we have public interests necessitating the constitution of the board, and there is a conflict between these two. When there is such a conflict, the question is whether the decision should not be left to a third party and whether it would be desirable to leave it to one of these conflicting *parties*. In such matters, an impartial judge is necessary to decide. I do not think anybody else could be thought of except the Government.

MR. A. THANU PILLAI (*Trivandrum*): May I know how the conflict comes in between the municipality and public interests?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No difficulty arises if the municipality *agrees* to the proposal. Trouble arises only when the municipality *does not agree* to it and it is considered necessary in public interests. It is in such cases that a third party is necessary to decide the question.

Sir, Mr. Thanu Pillai adverted to the fact that since, in Madras, the question of local self-government is in the hands of a Minister elected by the people, there is no objection to the corresponding provision in the Madras Town-Planning Act. But the real point is that even there it is a *third* party, and not the municipality, that decides.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the member be pleased to state who would be liable for the acts of the trust. Is it the Government or the municipality or the public?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Certainly, the municipality. I will come to it presently.

After all, Sir, what is this trust? It is not a body imported from anywhere outside. It is to be constituted by an elected majority; and the Municipal Council itself among other representative institutions is to be represented in it. It is not unlikely that the majority of the trust is constituted of representatives of the municipality.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know whether there is any *provision* for that in the Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I only say that it is likely.

MR. S. KRISHNA PILLAI (*Karunagapalli*): It is also *not* possible. It *may* or *may not* take place.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Anyway, there is to be an elected majority. And the number of nominated members cannot exceed one-third of the total number of members constituting in the trust. I still maintain that there is every possibility of the Municipal Council being largely represented in the trust. That being so, I do not see any reason why on behalf of the Municipal Council anybody should fight shy of this provision. After all, what is this trust? It will just be something like a sub-committee of the municipality for the purpose of town-planning. We have been told by Mr. P. S. Mahomed that it was quite usual for his municipality to constitute sub-committees for several purposes. Under such circumstances, there seems to be no reason whatsoever to distrust these special boards merely because they are to be appointed by the Government. It must be realised that the clause provides that the Government shall *consult* the Municipal Council before constituting the trust.

Mr. S. Krishna Pillai was asking me as to whether the Municipal Council would not have to take up all the liabilities of the trust. Of course, the Municipal Council has to. But, as I have already pointed out, this trust is really nothing but a sub-committee of a Municipal Council, and it is going to work for the good of the municipality. As such, why should the municipality raise any objection to take up the liability.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the municipality form the majority of the board?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They need not *necessarily* form the majority. But it is certain that the number of nominated members will not exceed one-third.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Why should the Municipal Council be made to take up the liability of extraneous bodies?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As I have already pointed out, this trust is to have a majority of elected members; and the Municipal Council itself, as also other local representative bodies like transport companies, co-operative soci eties and chambers of commerce, is to be represented in it. And it is going to work for the good of the municipality.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Will the member under take to frame the rules under the Regulation in such a way as to see that the Municipal Council will have the right to control the functions of the board?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I cannot give any such undertaking. I may say, however that this aspect of the question will be borne in mind when the rules are framed.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does not the member think that such a safeguard is necessary?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, not at all, because the trust is to be constituted of an elected majority of representative institutions like chambers of commerce, transport companies, etc.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I point out to the member that, under the Municipal Regulation, the only body which has a right to control the municipal funds is the Municipal Council, *and then* the Government.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Therefore, will not the absence of the safeguard, that I now suggest, be a violation of that principle laid down in the Municipal Regulation ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*), Does not the member think that the present provision is inconsistent with the principle laid down in the Municipal Regulation ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not think there is any inconsistency. It is only a question of policy, *viz.*, whether, when the general interests of a particular locality require the constitution of a special board, the municipality, for whom the board is to work and which is to be benefited by the work of the board, should not undertake the liability of the board. Where is the inconsistency in that ? It is only a question of policy which the House may accept or reject.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In regard to clause 45, sub-clause (2), does the member admit that *all* the persons contemplated there and living within the municipality are interested in the municipality?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They are interested in the town-planning scheme.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Only persons living within the municipality?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Not necessarily.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What does the clause mean as it stands ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The clause may not in so many words say that persons living outside are also interested in it.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member also suggest that the provision would apply even to the adjoining taluk?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may, provided the town-planning scheme extends to the neighbouring taluk. Ordinarily, nobody can imagine that the Quilon town-planning scheme will extend up to Parur.

The Council adjourned for lunch at 2-15 p. m. and met again at 3 p. m.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I am glad that a good deal of discussion has taken place on my amendment; but I am sorry to find that some members, on this side of the House, *elected members*, have opposed it. I am really very sorry to see that that is the view taken by some of the elected members of this House.

One point I may dispose of straight away, namely, the impression, sought to be created by some members, that the interests of the people, inhabiting these towns or municipalities would be better served by Government than by the representatives of the rate-payers of the municipalities. That is a view which goes counter to the very existence of all self-governing institutions. Sir, I know the people of this State fairly well, and I was really surprised to find some of their representatives here stating that their compeers in the field of public work, in the municipalities were unfit to serve the interests of the people of the localities. The expression of *that* opinion was little expected, Sir, so far as I am concerned. But, even though it has been expressed here, I must say that that view is totally wrong. On the contrary....

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I request the member to point out any member who gave expression to such a view, namely, that the members of the municipal councils were *unfit* to serve the interests of the people of the locality ?

MR. A. THANU PILLAI (*Trivandrum*): It was suggested by more than one member, in the course of the debate, that the Government were better fitted for that purpose than the Municipal Councils. I think that was the idea of Mr. E. V. Krishna Pillai, for instance, when he put a question to another member as to whether the Alleppey Municipality, as it is at present constituted, could be entrusted with the responsibility of carrying out town-planning scheme there.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know the answer to that question ?

MR. A. THANU PILLAI (*Trivandrum*): Anyway, there is that question; that is quite enough to support my present statement. I submit, such an attitude is quite unjustifiable and incorrect. I do not say that, in every case, the view taken by the representatives of the people, whether in this Council or in the Municipal Councils, will always be correct. To err is human; and the representatives of the people may also err. But, to go beyond that, to say that the representatives of the rate-payers are *not* fit to judge what is best for the interests of the people of the locality is, I submit, quite meaningless. Simply because there may arise matters in regard to which experts may have to be consulted, it does not follow that, even in such matters, the municipality is not competent to judge as to what would be best for the interests of the people. Wherever necessary, the municipality will, of course, consult experts and get their opinion.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): But, is the carrying out of a town-planning scheme one of the functions of a municipality under the Municipal Regulation ?

MR. A. THANU PILLAI (*Trivandrum*): Sir, I totally fail to see the relevancy of the question. Whether the carrying out of town-planning schemes is one of the functions of municipalities under the Municipal Regulation or not, is not the question now before us. Town-planning, as such, may not be one of the functions of the municipality under the Municipal Regulation. But, the improvement of the sanitary conditions in the town, the health of the inhabitants of the place and such other matters *are* within the functions of the municipality under the Municipal Regulation.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) ; Then, why did not the member suggest any amendment to clause 10 under which the Government can compel any municipality to frame a town-planning scheme ?

MR. A. THANU PILLAI (*Trivandrum*) : I shall explain my position, Sir. Under this Bill, ordinarily, the municipality is to frame the town-planning scheme. In certain cases, the Government also may ask the municipality to frame one. And, in extreme cases, the Government may even compel the municipality to do it. The Bill also provides the means of putting the town-planning scheme into effect, whether such scheme has been formulated by the municipality of its own accord or as a result of compulsion by Government. My view is that, whether the scheme has been formulated by the municipality of its own accord or as a result of compulsion by the Government, the actual working of the scheme must be done by the municipality itself and not by any other-body. Now, but for clause 44 which I seek to amend, all the previous clauses whichhave already been passed, are quite consistent with my position. Whatever has to be done in respect of the actual work of town-planning must be done by the municipality although the scheme might have important part of a town-planning scheme is the actual working of it and not the preliminaries, which alone, under the foregoing clauses, the Government can compel the municipality to do. If the Government thinks it fit, let them compel the municipality to takes teps to formulate a scheme ; but, when the actual working of it has to be attended to let that be done by the municipality. It is the municipality that has to spend money, that has to raise loans, if necessary, that has to undertake the repayment of the loans raised. It may be that there is provision in the Municipal Regulation for the municipality being superseded in extreme cases; but, so far as I am aware, no such occasion has arisen till now. The matter is not so serious when it is a question of the scheme being formulated or other preliminaries of town-planning being thought of. These trusts are the bodies that are to do the actual work. The real work under the enactment arises only under this clause 44. That is the important point which the House has to consider.

Some of my friends seem to be under the impression that the town-planning scheme could be put into effect only if these trusts are created, that the constitution of these trusts is a necessary condition precedent to the carrying out of *all* town-planning schemes.

MR. M. GOVINDAN (*Nominated*): Who said so?

MR. A. THANU PILLAI (*Trivandrum*): That was what I gathered in the course of the debate.

I may point out that that is not correct. The trust need be created only in cases where the Government consider that the interests of town-planning would be served best by the creation of a trust. If, as a matter of fact, it had been provided in the Bill that, in all cases, the creation of a trust is absolutely necessary as a condition precedent for the carrying out of town-planning schemes, then, I can understand my friend's objection that, in the light of the provisions that have already been passed, this amendment is inconsistent. But, that is not the case The trust need be created only in cases in which the Government consider that it is necessary in the interests of town-planning. I do not suggest, Sir, that the Government should have absollutely nothing to do with town-planning in this State. There *is* power vested in them, under the foregoing clauses of this Bill, to compel a municipality to formulate a town-planning scheme if the municipality does not do it and if the Government consider it necessary. There is also the provision, in the Municipal Regulation, under which, ultimately, they can supersede the municipality. But, the point now raised by the amendment is totally different. The question now is whether, when the municipality is in existence, the Government should be given the power to create these trusts, *in spite of* the municipality, *independent of* the municipality and *against the wishes of* the municipality. That is the only question that we have to consider now. Government may have ever so many other powers; but that is no reason why they should have *this* power in respect of the creation of these trusts which, under the provisions of this Bill, practically efface the municipality out of existence so far as town-planning is concerned. Under clause 44, Government may create the trust against the wishes of the municipality, they may appoint its chairman; they may fix his salary; they may order the municipality to divert its funds to the trust; and the municipality is bound to obey. The money handed over to the trust may be spent by the trust as it likes without any reference to the municipality. The municipality has absolutely no control over the doings, the actions of the trust. On the other hand, if it is the municipality that is to do the work, at any stage of the work they may stop and wait for the improvement of their financial condition, or they may decide that the work is to be spread over a long period in order that they may not feel the strain due to the heavy outlay. They alone know when it would be better to stop the work, how the work would affect the people, what alterations should be made in the plan of work in order to suit local conditions.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): I believe the trusts also can do all these.

MR. A. THANU PILLAI (*Trivandrum*): What I want my friends to bear in mind is that the trust is not the municipality, that it is a distinct body in itself. It is the municipality that is to suffer the consequences of the work. The trust has really no interest except to spend the money of the municipality. It is the municipality that is composed of the elected representatives of the people of the place.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): What about two-thirds of the trust?

MR. A. THANU PILLAI (*Trivandrum*): That will consist of representatives of chambers of commerce, transport companies, co-operative societies, and also—I admit—the Municipal Council.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Have the Government anything to do with the appointment of the two-thirds in the trust?

MR. A. THANU PILLAI (*Trivandrum*): Certainly, they *do have* much to do with it. It is the Government that decide as to which are the bodies, the institutions, that are to be represented in the trust. That is a very important matter. It may eventually turn out that the municipality has very little to do with the trust. It is true that two-thirds of the trust is to be elected by other bodies. But, what have those other bodies to do with the municipality? The number of members representing the municipality in the trust may, after all, be very small. So, we cannot say that the trust will be unobjectionable in all cases. It may be highly objectionable in some cases.

As for the financial rights, the powers of the trust, all the powers vested in the municipality are to be exercised by this trust; and as has already been pointed out, the result of the working of this scheme may be a loss. The trust may incur heavy liabilities, and the whole of them will have to be taken up by the municipality. It may be that a municipality is small; and it may happen that the working of the trust has ended in a liability to the extent of fifty thousand rupees, or a lakh of rupees. This Bill provides that the municipality must pay all that. Is it right, I ask? Clearly, there is no justification for it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is not the town-planning scheme to be put into effect in accordance with the scheme *prepared by the Municipal Council* itself?

MR. A. THANU PILLAI (*Trivandrum*): No, that is again another misconception. I shall read the clause:

> "When Our Government, after consulting the Municipal Council, decide that the interests of town-planning in any particular area will be best served by one trusting it to a special board, they may, by notification in Our Government Gazette, constitute such board............"

Then clause 49 says:—

> "When a trust has been duly constituted, the provisions of Chapters I to VIII of this Regulation shall, within the area entrusted to it for town-planning purposes, apply in full as though the words "trust" and "chairman of the trust, were substituted for "Municipal Council" and "chairman of the Council or chairman".

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : What is the misconception, please ?

MR. A. THANU PILLAI (*Trivandrum*) : The misconception lies in the member's statement that the scheme to be put into effect by the trust will always be the scheme formulated by the municipality itself.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Am I to take it that the trust is to be created even before the scheme is prepared ?

MR. A. THANU PILLAI (*Trivandrum*): Why not?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Even before the step contemplated in clause 9, or 10, is taken ?

MR. A. THANU PILLAI (*Trivandrum*) : Why not, I ask. What is there to show that the trust can be created only *after* the scheme is prepared ? Clause 9 reads thus :

> "If the resolution is to make a scheme, the Municipal Council shall, within 12 months from the date of the notification under Section 8 or within such further period, not exceeding 12 months, as Our Government may allow, and after consulting, in the prescribed manner, the owners of the lands and the buildings in the area affected prepare and publish a draft scheme "

What is there to show that it is only *after* the scheme has been prepared and sanctioned that the trust could be brought into existence ?

MR. A S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): First of all it has to be decided whether town-planning is to be had in a particular area.

MR. A. THANU PILLAI (*Trivandrum*): Government may decide that, and then constitute the trust. The trust itself may be called upon to prepare the scheme. It is not so much in the execution of the work as in the preparation of the scheme that a good deal of expert advice and knowledge is required. Where the streets should be laid, how the roads should be made, how the drains should be constructed, all these questions form part of the scheme. These matters will have to be decided which are even more important than the actual working of the scheme. That is how I understand the Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Shall I draw the attention of the member to clauses 8, 9 and 10, where it is stated :

> "If the resolution is to make a scheme, the Municipal Council shall, within 12 months from the date of the notification under Section 8 or within such further period, not exceeding 12 months, as Our Government may allow, and after consulting, in the prescribed manner, the owners of the lands and the buildings in the area affected prepare and publish a draft scheme."

Is it the member's opinion that the trust is to be created even before all this is done ?

MR. A. THANU PILLAI (*Trivandrum*) . Why not ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Under which clause ?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I wish to draw the attention of the member to clause 49 where it is stated that the trust could be created at any time.

MR. A. THANU PILLAI (*Trivandrum*): That is what I say. Clause 49 reads thus :—

> "When a trust has been duly constituted, the provisions of Chapters I to VIII of this Regulation shall, within the area entrusted to it for town-planning purposes, apply in full as though the words 'trust' and 'chairman of the trust were substituted for "municipal council" and "chairman of the council of chairman' ".

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*). So, is it the member's position that first of all Government would consult the municipality just *to appoint the trust.* Even before considering whether town-planning is necessary or not, Government will straight away consult the municipality as to the fact whether a trust should be created?

MR. A. THANU PILLAI (*Trivandrum*): When the Government consider that the interests of town-planning will be best served by the appointment of a trust, they may create the trust.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Before the question of the interests of town-planning is taken up for consideration, the question of having town-planning must be decided?

MR. A. THANU PILLAI (*Trivandrum*): The Government may decide that.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Without consulting the municipality?

MR. A. THANU PILLAI (*Trivandrum*): They *may* consult the municipality.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I draw the attention of the member to clause 37 :

> "Subject to such rules as Our Government may make in this behalf, a Municipal Council may, and if so required by Our Government shall, join with one or more than one other local authority in constituting a joint town-planning committee for the making affair joint town-planning scheme or for any purpose connected with town-planning in which they are jointly interested or for which they are jointly responsible".

That is for making a scheme. With that may I draw the attention of the member also to clause 39, (b) which says:

> "If Our Government are satisfied, after giving the Municipal Council an opportunity of explanation, and considering any other representations that may be made to them, that a Municipal Council. ....
>
> (*b*) has failed to adopt any scheme proposed by owners of any land in a case where the scheme ought to be adopted".

Therefore, Government may compel the municipality even, against their appeal, to formulate a scheme. According to clause 37 or clause 39 ,does the element of compulsion from outside remain?

MR. A. THANU PILLAI (*Trivandrum*): That is a different matter. Even though Government may compel the municipality to prepare a scheme and to put it into effect, it is the municipality that must put it into effect. That is the important point.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): It is not at all necessary. Under clause 39 (2) which says:

> "Our Government may order the Council or the responsible authority to do all things necessary for enforcing the observance of the scheme or any provisions thereof effectively, or for executing any works, which, under the scheme of this Regulation, the Council or the responsible authority is required to execute, irrespective of the consent of the municipality, Government can force it upon them."

MR. A. THANU PILLAI (*Trivandrum*): There is no quarrel about the fact that there is that provision in the Bill. Clause 39 says:

> "If Our Government are satisfied after giving the Municipal Council or the responsible authority as the case may be an opportunity of explanation, that a municipal council or a responsible authority, has failed to enforce effectively the observance of a scheme which has been finally sanctioned, or any provisions thereof, or to execute any works which under the scheme or this Regulation the Council or the responsible authority is required to execute......"

Government can compel them to do so. The Municipal Council is bound to do it, but, still, it is the municipality that does it. Government have got the power even to supersede the municipality if it disobeys. I fully concede that. But so long as the municipality exists, it is the municipality that should do the work and spend its money.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Is that consistant with clause 44, with the spirit of that clause?

MR. A. THANU PILLAI (*Trivandrum*): There, the municipality *co-operates* with the Government, *either willingly or unwillingly*, throughout the work. Here, the municipality is only the *on-looker*. Some other body comes in and forces the work upon the municipality.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know from the member whether the effect of this clause could be nullified if it is provided that the trust could be constituted only with the consent of the municipality?

MR. A. THANU PILLAI (*Trivandrum*): Personally, I would even like to see this clause nullified; but I do not propose to go sofar. Now though the Government have the power to supersede the municipality, as I said, there has been no instance in which that has been done. Things will not go to that extent, because the municipality may yield. It is not exactly the devil that works the municipality or the Government. They are both composed of men. They will come to some understanding in all important matters. Then, Sir, suppose the Government says, "Here is necessity for a town-planning trust", and the municipality agrees to the constitution of a trust on the condition that the chairman shall be of a particular qualification, that his pay shall not exceed a particular amount, that the total outlay on the scheme shall not exceed, say, twenty thousand rupees. and that the work must be stopped when the expenditure is found to exceed thirty thousand rupees. If the municipality is given the right to be satisfied in regard to such questions, there is, perhaps no objection. But, suppose the Government bring into existence a trust and order the municipality to transfer its funds; the trust goes on with the work which

[Mr. A. Thanu Pillai]

eventually ends in a huge liability. It is the municipality that will have to bear it. That is the position under the clause as it is. Sir, I think I have made my position clear, so far as the object of this amendment is concerned. I hope Mr. Asan is now satisfied that a trust can be created even at the outset.

MR. A. S. DAMODARAN ASAN (*Mavelikkara* cum *Kartikapalli*): No not in the least.

MR. M. GOVINDAN (*Nominated*): Is it suggested that the town-planning *scheme* itself may come *after* the creation of the trust?

MR. A. THANU PILLAI (*Trivandrum*): It *may* happen like that; but not necessarily. Suppose Government decide that the interests of town-planning in a particular locality will be best served by entrusting it to a trust. The trust constituted for the purpose may take up the work and do whatever they like in spite of the municipality; because, under the Bill, the trust will take the place of the Municipal Council, and the chairman of the trust will take the place of the chairman of the municipality, after the creation of the trust.

MR. M. GOVINDAN (*Nominated*): Just one question, about the wording of the clause 44

"When Our Government, after consulting the Municipal Council, decide that *the interests of town-planning* in any particular area"

It is stated there "*the interests of town-planning*". What is the meaning of the expression '*town-planning*?

Does it not mean town improvement?

MR. A. THANU PILLAI (*Trivandrum*): Town-planning, I think, is defined in the Bill.

MR. M. GOVINDAN (*Nominated*): The definition includes town improvement also.

MR. A. THANU PILLAI (*Trivandrum*): Yes.

MR. M. GOVINDAN (*Nominated*) If it means town improvement, it certainly follows the scheme for the purpose is already there.

MR. A. THANU PILLAI (*Trivandrum*); Not necessarily. "*The interests of town-planning*" may mean the preparation of the town-planning scheme along with everything that follows it. If Government advance some money to somebody and say that they do so *in the interests of agriculture* in a locality, it does not necessarily mean that there is agriculture already being carried on there. It may also be that, since there no agricultural operation being conducted there, Government advance the money for the propose of conducting agricultural operations.

MR. M. GOVINDAN (*Nominated*): Is not the carrying out of the town-planning scheme a matter requiring technical knowledge?

MR. A. THANU PILLAI (*Trivandrum*); In some cases it *is*.

MR. M. GOVINDAN (*Nominated*): If so, is it the municipality or the Government that is in a better position, to command that technical knoWledge.

MR. A. THANU PILLAI (*Trivandrum*): It is not always that the Government are able to command better technical knowledge than private individuals. That will depend upon several things. It is quite likely that Government have an officer who is not really an expert and the municipality may go in for an officer who is really an expert. It cannot always be maintained that, because Government is a bigger body their experts are always the best available. In fact, it is a matter of every day knowledge that that is not always the case, at any rate, here Government may have their engineers and supervisors, who may not know much of engineering. At the same time I may go in for the services of an engineer who is really far superior to the Government engineers. The highest Medical officer under Government may not perhaps, stand comparison with my doctor in point of efficiency and skill.

It was stated in the course of the discussion that the municipality will not be in a position to know what is best in the interests of town-planning. There again I must, in all earnestness, submit that it is really the municipality that has the best knowledge of the needs of the locality. They know local conditions better than any body else. They know their financial position best.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know from the member whether he is aware of the large surpluses that lie idle in the hands of several municipalities in Travancore.

MR. A. THANU PILLAI (*Trivandrum*): What has that to do with the present question?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): It *has much* to do with it.

PRESIDENT: You are not bound to answer that question, Mr. Thanu Pillai.

MR. A. THANU PILLAI (*Trivandrum*): It appears to me, Sir, that when it is a collective body of twenty-five people, the chances of error are comparatively small. All human institutions are liable to err. That is the condition of existence; there is no going beyond that or behind it. So, the best body in such matters is the Municipal Council. No doubt, Government are invested with large powers. If it is a case where the Government should really have power over the municipality, we would be glad to give it. That is not the case in the present instance. Government must therefore yield. What is the fun of bringing into existence these Councils if you are going to keep all the powers with you? There is also one other aspect from the point of view of self-Government. If we entrust these functions also to the municipality, there is the chance of even better class of members than we now have taking their seats in the Municipal Councils. Probably, there would be better Presidents also I mean no disparagement to my friends, here and outside who are Presidents of Municipal Councils.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know the reason why better members would be attracted by th Municipal Councils if the amendment is carried?

MR. A. THANU PILLAI (*Trivandrum*) : The more the power the greater the improvement in the constitution. So, better members *will* come in. In the light of this fact also I request the members to support me.

Some other subsidiary and minor matters were also raised in the course of the debate. Mr. Govindan raised the question of state within a State. These small states are bound to improve and grow.

Mr. Kayalam Paramesvaran Pillai also raised some objections. I must answer him since he is in charge of the Bill. He raised a point which I was not then able to understand when he raised it, and which I am not able to understand even now after much thought. Between the Municipal Council on the one side and the public interests on the other he said the Government must decide. The rate-payers are the inhabit ants of the municipality and the muncipal council represents them Where is the conflict between the two? I fail to see that.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) : Is the member aware that the town-planing scheme may extend to places outside municipal limits?

MR. A. THANU PILLAI (*Trivandrum*) : In rare cases, it may; but the possibility of fcr such a contingency is so small that we may ignore it for the present.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*) How is the member so sure that it would be so small?

MR. A. THANU PILLAI (*Trivandrum*) : I think so.

MR. P. S. MAHOMED (*Nominated*) : മുനിസിപ്പാലിററിക്ക് വെളിയിലുള്ള ആളുകളുടെ ഗുണത്തെക്കൂടി മുനിസിപ്പാലിററി നോക്കേണ്ടതല്ലേ?

MR A. THANU PILLAI (*Trivandrum*) : The municipality, represents public interests and the question of Government coming in to arbitrate as it were, does not arise at all.

MR. M. GOVINDAN (*Nominated*) : Is it not possible that persons who are now in a particular municipality may not continue to represent the public interests in that body after the lapse of some time?

MR. A. THANU PILLAI (*Trivandrum*) : That is a diseased mentality which we need not take into consideration. When a man represents the people, in a public body he must continue to do his best for the people as long as he is there.

MR. M. GOVINDAN (*Nominated*) : Is the member aware that most of our representative institutions are constituted in such a way that a duration is prescribed beyond which the representative capacity is not attached to the persons who are elected as representatives?

MR. A. THANU PILLAI (*Trivandrum*) : Yes.

MR. M. GOVINDAN (*Nominated*) : Is it a diseased mentality that fixes the duration of membership?

MR. A. THANU PILLAI (*Trivandrum*): It is not there the diseased mentality comes in. The fixing of a period for holding the office only indicates the possibility of several changes in the life of a man, his character, and his general capacity to represent the people. To provide for all these a period has been fixed. That does not mean that the representative would be quite all right during the first year after election, and then neglect his duty. That is not my conception of duty. Further, he is eligible for re-election. And even in this Council, there *are* gentlemen who have been re-elected.

Then, it was suggested that the representatives of the Municipal Councils would form the majority in the trust. It *may* or *may not* be the cases.

I hope the House will consider all these various aspects of the question and support my amendment.

The amendment was then put to the vote of the House and lost.

MR. A. THANU PILLAI (*Trivandrum*): I demand a poll.

A poll was taken with the following result:—

AYES 10.

1. Mr. Joseph Kunju.
2. Mr. N. K. Krishna Pillai.
3. Mr. S. Krishna Pillai.
4. Mr. K. Madhavan Pillai.
5. Mr. K. P. Madhavan Pillai.
6. Mr. M. Mahomed Mustapha.
7. Mr. P. S. Mahomed.
8. Mr. Rama Varma Raja.
9. Mr. N. A. Sundaram Pillai.
10. Mr. A. Thanu Pillai.

NOES 35.

1. Mr. L. A. Bishop.
2. Mr. R. Dhanukoti Pillai
3. Mr. K. George.
4. Mr. A. Kumara Pillai.
5. Rao Sahib Dr. N. Kunjan Pillai.
6. Mr. C. O. Madhavan.
7. Mr. E. G. McAlpine.
8. Mr. R. Nilakanta Pillai.
9. Mr. N. K. Padmanabha Pillai.
10. Mr. Kayalam Paramesvaran Pillai.
11. Dr. K. Raman Tampi.
12. Mr. S. C. H. Robinson.
13. Mr. R. Vaidyalingam Pillai.
14. Mr. P. Visvanatha Aiyar.
15. Mr. J. S. Westerdale.
16. Mr. K. P. Abraham.
17. Mr. K. C. Chandi.
18. Mr. S. Chattanatha Karayalar.
19. Mr. A. S. Damodaran Asan.
20. Mr. K. Gopalakrishna Pillai.
21. Mr. M. Govindan.
22. Mr. N. John Joseph.
23. Mr. K. C. Karunakaran.
24. Mr. K. I. Kocheeppan Mappillai.
25. Mr. K. P. Kochukora Tarakan.
26. Mr. K. Krishnan Nayar.
27. Mr. E. V. Krishna Pillai.
28. Mr. K. Kunjukrishna Pillai.
29. Mr. L. A. Lampard.
30. Mr. M. P. Madhavan Pillai.
31. Mr. K. Narayanaperumal Nadar.
32. Mr. A. Narayana Pillai.
33. Mr. K. Padmanabha Panikkar
34. Mr. C. N. Tuppan Namputiripad.
35. Rao Bahadur A. Venkatarama Aiyar.

The amendment was declared *lost.*

The question that clause 44 do stand part of the Bill was then put and carried.

The clause was added to the Bill.

Clauses 45 and 46.

The question that clauses 45 and 46 do stand part of the Bill was then put and carried.

The Clauses were added to the Bill.

Clause 47.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, my amendment, as I have given notice of it, is that, after the words "*good behaviour*" the words "*for an offence involving moral turpitude*" should be inserted. I would request the permission of the Chair to change the amendment a little in order to make the meaning clear. I would have these words inserted after the words "*Code of Criminal Procedure*" and not after "*good behaviour*". I need not add much in favour of the amendment. It is intended to secure a seat as trustee to persons who might be convicted according to the Criminal Procedure Code for a political offence which may not involve *moral turpitude*. There are the temperance and other movements, and prohibition orders are in plenty. It is likely that the Security Sections are applied to respectable persons and useful citizens. My intention is just to prevent such useful members of society from being stigmatised, in regard to these the trusts which are to work for the good of the people.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Is it the intention of the mover that his amendment should cover convictions also?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Yes. I would amend it like this ".........such sentence or order not involving moral turpitude.........".

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): When my friend, in his amendment, speaks of '*order involving moral turpitude*', does he imply that Magistrates, who are to pass the orders, may have moral turpitude? (*Laughter*).

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): The sense intended would be clear if it is stated that the order to find security for good behaviour was not for an offence involving moral turpitude.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be amended like this: "*.........such sentence or order not being in respect of offences involving moral turpitude.........*"

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) Yes; that will be better. What I want is that persons who may be bound over for security proceedings, or persons who may be convicted for offences not involving moral turpitude for instance, political offences...........

MR. M. GOVINDAN (*Nominated*): May I know how the clause reads with the amendment?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) It will read like this:

"(c) has been sentenced by a Criminal Court to imprisonment for a term exceeding 6 months or has been ordered to find security for good behaviour under the Code of Criminal Procedure, *such sentence or order not being in respect of offences involving moral turpitude* and such sentence or order not having subsequently been reversed, remitted or the offender pardoned, or......"

My object is to save useful citizens who might have been convicted for being engaged in activities which the Government of the moment might not approve of. Such persons should not be stigmatised. That is the simple reason for my amendment. I do not think there can be any objection from the Goverement side for *this* amendment.

MR. M. GOVINDAN (*Nominated*): I second the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*). I can quite appreciate what Mr. Kunjukrishna Pillai has said. I am at one with him in thinking that in the case of offences not involving moral turpitude there should be no deprivation of civic rights. But, it seems to me, there will be considerable practical difficulty in accepting this amendment; because the question whether a particular conviction involves any moral turpitude is a matter that has to be decided by somebody; and as the amended clause would stand, that decision must be made by Government, because clause 47 begins by saying "Our Government may remove..........................".

So it is the Government that has to decide of their judgment whether a particular conviction involves moral turpitude or not. If that is so, the difficulty will be this. Very often the judgment of Government and that of the public might differ, and it is the desire of Government to avoid such occasions for difference of opinion as much as possible. It would be seen from the earlier portion of the clause that whenever a sentence does not exceed six months, a person *is* eligible to become a member of the board. If it exceeds six months, he automatically becomes ineligible. That is how the clause in the Bill stands. There will be no occasion to exercise judgment, over the question whether an offence is one involving moral turpitude or not. That seems to me to be a satisfactory arrangement. In the Electoral Rules, for instance, there is a provision that, if there is a conviction for an offence involving moral turpitude the Government may declare him ineligible. There were similar Rules in the Government of India Rules also. But now, it is the *period of the sentence* that creates the disqualification.

The present Government of India rule on the subject, is this

A person against whom a conviction............involving a sentence of transportation or imprisonment for a period of more than six months is subsisting shall unless........".

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it a recent amendment?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

[Mr. Kayalamparamesvaran Pillai.]

So then, the question whether a particular conviction involves moral turpitude or not does not arise at all in the clause as it is in the Bill; and the Government are not asked to decide any question. That seems to be a more satisfactory arrangement than that, in every case the Government should be called upon to decide whether a particular conviction involves moral turpitude or not. So, it would be best for Mr. Kunjukrishna Pillai, from his own standpoint, to withdraw his amendment.

In regard to Town-Planning Acts elsewhere, the provision in Madras is as in the Bill. The question of moral turpitude does not arise at all.

I shall now explain the circumstances under which a person might be brought under security proceedings.

Section 92 of the Code of Criminal Procedure lays down:

"Whenever a District Magistrate or Magistrate of the First Class receives information—

(a) that any person is taking precautions to conceal his presence within the local limits of such Magistrate's jurisdiction, and that there is reason to believe that such person is taking such precautions with a view to committing an offence, or

(b) that there is within such limits a person who has no ostensible means of subsistence, or, who cannot give a satisfactory account of himself,

such Magistrate may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with sureties, for his good behaviour for such period not exceeding six months as the Magistrate thinks fit to fix."

Section 93 is as follows:—

"Whenever a District Magistrate or Magistrate of the First Class receives information that any person, within the local limits of jurisdiction,

(a) is by habit a robber, house-breaker or thief, or

(b) is by habit a receiver of stolen property knowing the same to have been stolen, or

(c) habitually protects or harbours thieves or aids in the concealment or disposal of stolen property, or

(d) habitually commits mischief, extortion, or cheating, or counterfeiting coin, currency notes, or stamps or attempts so to do, or

(e) habitually commits, or attempts to commit, or abets the commission of offences involving a breach of the peace,

such Magistrate may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond with sureties for his good behaviour for such period, not exceeding three years, as the Magistrate thinks fit to fix."

It will be seen that the occasion on which a person may be asked to furnish security for good behaviour is in cases of offences *really involving moral turpitude.*

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Does the Law Member suggest that only for these offences, security proceedings *are* taken *as a matter of practice.*

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Security proceedings may be taken under another Section of the Criminal Procedure Code, *viz*, Section 90. That is a different matter altogether.

Section 90 reads as follows:

"Whenever a District Magistrate or Magistrate of the First Class receives information that any person is likely to commit a breach of the peace, or to do any wrongful act that may probably occasion a breach of the peace, within the local limits of such Magistrate's jurisdiction, or that there is within such limits a person who is likely to commit a breach of the peace or do any wrongful act as aforesaid in any place beyond such limits, the Magistrate may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with or without sureties for keeping the peace for such period not exceeding one year as the Magistrate thinks fit to fix."

I have not brought under the clause in the Bill any order in regard to the matters dealt with in Section 90 of the Criminal Procedure Code, *viz.*, when security is taken for keeping the peace, as distinct from for good behaviour.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member mean that a person who has been convicted under Section 379 of the Penal Code only for five months, should be eligible for a seat in the trust; and that even after his twelfth conviction? May I take it that, according to my friend, even a habitual thief can be a member of the trust merely because he had the good luck to get a sentence only for five months' imprisonment?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The courts, in such cases, will surley award imprisonment for more than six months.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Where is it stated like that?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is ordinarily presumed that the courts will do so?

MR. S. KRISHNA PILLAI (*Karunagapalli*): If a murderer is sentenced for imprisonment only for five months and twenty-nine days and for a fine of Rs. 2,000, he would be eligible to become a member, though he happens to be a murderer? Does not the member *now* find that the expression "*moral turpitude*" *is* necessary in the provision in the Bill?

PRESIDENT: You have to realise, Mr. Krishna Pillai, that such offender has to get elected by the people.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Six months' imprisonment is the maximum fixed to avoid becoming ineligible. Any murderer, any dacoit who had the good fortune to get only a small period of imprisonment, would be eligible to become a member and to sit in the same bench as the noblest citizen of the State.

PRESIDENT: But, such offender has to get elected by the people.

MR. S. KRISHNA PILLAI (*Karunagapalli*): But no one can dispute his right to stand for the election along with the noblest of citziens.

[Mr. S. Krishna Pillai.]

The body proposed to be constituted by such persons is intended to administer the funds of a municipality. I am asking whether the interests of the municipality would be safe in the hands of a thief simply because he had the good fortune to be sentenced to undergo only five months' imprisonment.

MR. KAYALAM PARAMESVARAN PILLAI *(Additional Head Sirkar Vakil)*: Sir, I can very well understand the principle that is desired to be carried out by this amendment. But, even if Mr. Kunjukrishna Pillai's amendment is carried, the effect would be that to disqualify an offender, the imprisonment *must* exceed six months, *and also* the offence must be one involving moral turpitude. So if the sentence is less than six months, a murderer and thief can yet, even under the amendment, become members.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : You may put the conjunction "*and* "after" *for a term exceeding six months*". Mr. K. Kunjukrishna Pillai's amendment has not assumed any definite shape yet.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*) : If the principle is accepted, Sir, the fact that the amendment has not been worded properly should not be relied upon by the Law Member. The fact that there is no provision in the amendment to disqualify persons convicted (of offences, involving moral turpitude) *for less than six months*, would not justify its rejection.

MR. KAYALAM PARAMESVARAN PILLAI *(Additional Head Sirkar Vakil)* : As I understand the amendment there must be two conditions before a member of the trust could be removed. One is that the sentence must exceed six months. The other is, it must be in respect of an offence involving moral turpitude. The first condition is already there according to the clause. Mr. Kunjukrishna Pillai wants to add the other also. Mr. S. Krishna Pillai says that, under the Bill, a man may be convicted of murder and sentenced to undergo five months' imprisonment and yet may remain as a member, and that, therefore, the amendment is necessary. My submission is that such a contingency cannot be avoided by the amendment now proposed; because even if the amendment is carried it will not exclude a murderer or dacoit who has the good fortune to get only five months' imprisonment.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Suppose, without any restriction in regard to the term of imprisonment, I concede that only for offences involving moral turpitude the member can be removed.

MR. KAYALAM PARAMESVARAN PILLAI *(Additional Head Sirkar Vakil)* : I have no serious objection to accept that proposition if the House wants it.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : I support the amendment.

PRESIDENT: Do you want the term of imprisonment specified, Mr. Kunjukrishna Pillai?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): No, Sir, I think I would leave the drafting of the amendment to the expert in the matter, the Law Member. Any further improvement of the wording may be made in the Third Reading of the Bill.

PRESIDENT: Mr. Govindan, do you agree?

MR. M. GOVINDAN (*Nominated*): Yes, Sir.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I request the Law Member to read the clause as amended?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*):

> "Our Government may remove..................who has been sentenced by a Criminal Court or has been ordered to find security.........such sentence or order not being for an offence involving moral turpitude........"

MR. S. KRISHNA PILLAI (*Karunagapalli*): We need not amend the latter part of the clause.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Who is to decide the question as to whether an offence involves moral turpitude or not?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): The Government. Sir, the chief objection raised by the Law Member was that it would be adding to the burden of the Government if they are asked to sit in judgment over a question in which the public may take a different view. I think my confidence in Government is not so slender as that of the Law Member. Of course, the Law Member may be justified in entertaining such apprehensions, in view of the recent decisions, arrived at by the Government, in two such cases. I am now glad to see that they are not approved of even by the officers of Government. In such matters, certainly, Government should not fight shy; they should take the risk and try to arrive at conclusions which would be approved of by all right-thinking people.

We see, Sir, nowadays, that, in ever so many political offences, very respectable people are being sentenced to terms which go up even to two or three years. All the same, the public have a very high opinion of their character and nobility.

The Law Member wants such persons to be excluded merely because he wants to save the Government from the predicaments of giving decisions which may not be approved of by the public. Sir, the amendment is a very reasonable one, and the House, certainly, should not have any reason to oppose it.

MR. M. GOVINDAN (*Nominated*): I have just one objection to make to the Law Member's point, that the Government would be sitting in judgment in the matter and that their decision might not command public confidence. Why that anticipation is not properly founded is because it is this side of the House that constitutes the Government the judge in this matter. Now that *we* have confidence in the Government, it should not appear that the other side of the House hesitates to accept

[Mr. M. Govindan.]

the responsibility. The Government's decision, we are prepared to accept; and when *we* are accepting, hesitation should not come from the other side. With these words, I support the motion.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I rise to support the amendment, but on one point I differ from Mr. Govindan. I support the amendment not because we have much confidence that the Government will always judge properly as regards the moral turpitude of an offence committed by a person, but because that is the only practicable proposition in this case. Moreover, it is not possible to go to a court of law and get an adjudication on this matter. It is therefore, that we agree that the Government may be made the judge in the matter. There is another reason also. The Law Member said that the Government do not wish to have an opinion which would be against the opinion of the general public. That attitude will, of course, act as a sufficient deterrent for the Government to give a proper judgment. I therefore, support the amendment moved by Mr. Kunjukrishna Pillai.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I suggest the following amendment in place of the amendment moved by Mr. Kunjukrishna Pillai.

> "Substitute the following for clause (*c*):" .... has been convicted of any offence by a Criminal Court or has been ordered to find security for good behaviour under the Criminal Procedure Code, such conviction or order implying, in the opinion of our Government, moral turpitude on the part of the person so convicted or ordered, and not having been subsequently reversed or the offender pardoned."

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I accept the amendment, Sir, because, as Mr. Asan said, Government will always act according to the strict meaning of the words *moral turpitude*. We cannot have any other body in the present circumstances that could interpret these words correctly.

MR. A. THANU PILLAI (*Trivandrum*): Is the Government bound to take a reasonable view?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): In a sense, they are. It will touch their conscience, when the amendment is brought into effect; and, I hope it will have the effect intended.

MR. S. KRISHNA PILLAI (*Karunagaplli*): Does not the member think that, in cases where this decision would not conflict with the interests of Government, they would always decide correctly?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Yes. In this case, Government are neither to lose or to gain.

PRESIDENT: I shall again read the amendment as accepted by Government and by the mover of the amendment:

> "..has been convicted of any offence by a Criminal Court or has been ordered to find security for good behaviour under the Criminal Procedure Code such conviction or order implying in the opinion of our Government moral turpitude on the part of the person so convicted or ordered, and not having been subsequently reversed or the offender pardoned."

The amendment was put and carried.

The clause as amended was put, carried and added to the Bill.

Clauses 48 to 54.

Clauses 48 to 54, were put and carried.

The clauses were added to the Bill.

The Preamble was also put and carried.

It was added to the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I beg to move that the Bill, as now settled by the Council, be taken up at a subsequent meeting and passed.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I second it.

The motion, that the Bill be taken up and passed at a subsequent meeting, was put and carried.

THE TRAVANCORE PROVIDENT INSURANCE SOCIETIES BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I rise to introduce a Bill to provide for the regulation of the Provident Insurance Societies in the State. The Bill has been published in the *Gazette* with a statement of objects and reasons; and I beg to move that the Bill be read in Council.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I second it.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Will the member please tell me the date on which the Bill was published in the *Gazette* ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Last Tuesday.

I shall now briefly explain the principles involved in this Bill. Recently in Travancore, the activity in the promotion of these provident insurance companies has been very great, and we have during the last two or three years about 150 companies started for carrying on life assurance and provident insurance business. It has been considered expedient that they should be brought under control as elsewhere. In British India there is an Act imposing control on the working of the provident insurance societies, and the Bill that is now placed befroe the Council is only an adaptation of that Act. The main principle involved in this Bill is that the provident insurance societies, those which come under the definition of that term in this Bill, will be subject to certain control by the Government, the chief of which is that they should be registered by the Registrar appointed by Government and should be subjected to enquiry and investigation by the Registrar on his own motion. If they are found to be unworkable, or if they are found to do business fraudulently, their registration may be cancelled, and, once their registration is cancelled, they would not be able to collect premiums. I do not wish to detain the Council over this Bill. If the Council agrees to the principle of the Bill, the details may be left to the Select Committee.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Is the member aware that there are in existence societies of this kind which have not been registered ? May I know how many of such societies, have, so far been registered voluntarily ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): So far, within the last two or three years, 115 societies have been voluntarily registered under the Companies Regulation.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): The present companies are also registered; and so, after all, nothing more is to be done by the present Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The control that may be exercised under the Companies Regulation is not so very effective as that which is intended to be exercised under this enactment.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is there any control which can be exercised under the Companies Regulation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Hardly any.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Sir, I rise to support the principle of the Bill. As observed by the Law Member, in recent years, there has been a large number of insurance schemes coming into existence. Almost in every newspaper, we find several columns filled by advertisements of schemes of the insurance type. These schemes attract all sorts of people and offer easy terms on small subscriptions as a result of which people, literate as well as illiterate join such schemes. Funds are thus available for the promoters of such companies. It is only expedient that such schemes should be brought under sufficient control. Registration is one method of such control, and that has been provided for in the Bill. Under the Regulation, these Companies are required to keep accounts and to publish statements of their income and expenditure periodically, so that people might know how they collect money and also how the money is expended, whether properly or improperly. If there is no check, it is probable that many bogus companies may spring into existence and deceive the people.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): What is the provision in the Bill in favour of those persons who have paid money to companies which do not get themselves registered and which afterwards disappar?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): One clause provides for the appointment of liquidators, and any further defect as pointed out by my friend may be cured or rectified by the Select Committee which scrutinises this Bill.

MR. M. GOVINDAN (*Nominated*); Is there any provision in the Bill which requires the company to deposit a portion of the collections with the Government?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): I do not think there is any such provision. Under clause 17 (3), a security is required of people who may wish to conduct an enquiry into the conduct of the promoters.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it an advantage to the policy-holders?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : I do not think it is; and am therefore of opinion that that provision is unnecessary. That provision only hampers the chance of any enquiry being held into the conduct of the promoters of these companies.

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): Is the security obligatory ?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : It is not obligatory, but very often it may be required.

MR. K. GEORGE (*Chief Secretary to Government*) : Cannot the Registrar start an enquiry on his own motion ?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): An enquiry may be started on his own motion. There are also clauses in the Bill which provide for penalty in the case of offences.

This Bill may be a sufficient check on the new type of companies; and the companies also will conduct their business properly. But, towards the end of the Bill, clause 26 is a saving clause. I do not see why that clause should form part of the Bill. That clause has to be deleted ; and *all* the companies, now in existence or are likely to come into existence, should be brought under the control of Government. No company need be specially exempted. The Bill should apply to *all* such companies. With these words, I support the principle of the Bill.

MR. P. S. MAHOMED (*Nominated*) : പ്രാവിഡൻറ് സൊസൈററി എന്നുള്ള പേരിൽ ഈ രാജ്യത്തു് ധാരാളം സൊസൈററികൾ വർദ്ധിച്ചു വരുന്നുണ്ടു് എന്നുള്ള സംഗതി ലാമെംബർ ഇവിടെ പ്രസ്താവിച്ചുകഴിഞ്ഞു. അതിനുള്ള പ്രധാനകാരണങ്ങളിൽ ഒന്നു് വലിയസംഖ്യകൾഒന്നുംതന്നെ മുടക്കാതെ കമ്പനിതുടങ്ങി അതിൽനിന്നും കൂടുതൽ ആദായം എടുക്കുന്നതിനുള്ള സൌകര്യമാണു്. മറെറാന്നു് ഈ ഏർപ്പാടിൽനിന്നും കിട്ടുന്ന സംഖ്യയിൽ അവകാശികൾക്കു് കൊടുക്കുന്ന തുകകഴിച്ചു് ബാക്കിസംഖ്യ ഏതുവിധത്തിലും ഉപയോഗിക്കാനുള്ള തടസ്സമില്ലായ്മയാണു്. ഇങ്ങിനെ ബുദ്ധിപൂർവ്വമായും കൂടുതൽ ആദായം എടുക്കത്തക്കനിലയിലും ബുദ്ധിമാന്മാരായ ആളുകൾ പ്രവേശിച്ചു് ധനസമ്പാദനമാർഗ്ഗങ്ങൾ വർദ്ധിപ്പിക്കണം എങ്കിൽ അതിനു് അവരെ കുററപ്പെടുത്താനില്ല. എന്നാൽ ഈ വക സൊസൈററികളിൽ ചേരുന്നതു് സാധാരണയായി സാധുക്കളാണു്. കൂലിവേലക്കാർ അതുപോലെയുള്ള മററുതരം ജോലിക്കാർ ഇവക്കു് ഒരിക്കലും ഉദ്ദേശിക്കാൻപോലും നിവൃത്തിയില്ലാത്ത ഒരു വലിയ സംഖ്യ അവരുടെ മരണശേഷം വിധവയ്ക്കും കുട്ടികൾക്കും ഒരുമിച്ചു കിട്ടുമെല്ലോ എന്നുള്ള ഉദ്ദേശത്തോടുകൂടിയാണു് ഈ സൊസൈററികളിൽ ചേരുന്നതു്. കമ്പനി നടത്തിവരുന്ന ആളുകൾക്കു് മററുള്ളവരെ ചതിക്കണമെന്നുള്ള ഉദ്ദേശമില്ലെങ്കിലും വലിയസംഖ്യകൾ ധാരാളമായി അവരുടെ കയ്യിൽ വന്നുചേരുകയും അതിനെ യാതൊരു ക്രമീകരണവും കൂടാ

[Mr. P. S. Mahomed.]

ഞ്ഞ സ്വാതന്ത്ര്യമായി കൈകാൎയ്യംചെയ്യുന്നതിന് അവസരംവരികയും ചെയ്യുമ്പോൾ നല്ല ആളുകളാണെങ്കിലും അവർ അറിയാതെതന്നെ അവരെ ദുഷിപ്പിക്കത്തക്ക ദുസ്സ്വഭാവങ്ങൾ വന്നുചേരുന്നതാണ്.

MR. A. NARAYANA PILLAI (*Vaikom*): അങ്ങിനെയുള്ളവരെ നിയന്ത്രിക്കുന്നതിനുള്ള വല്ല വകുപ്പുകളും ഈ ബില്ലിൽ ഉണ്ടോ?

MR. P. S. MAHOMED (*Nominated*); അവരെ നിയന്ത്രിക്കുന്നതിനുള്ള വകുപ്പുകളും ഇതിൽ ഉൾപ്പെടുത്തണം. ഇതുപോലെ മററ് ഇൻഷ്വറൻസ് കമ്പനികളെയും കൂടുതലായി ശ്രദ്ധിക്കേണ്ടതുണ്ട്. ഇവകളിൽ ചേരുന്നത് ധനസ്ഥിതിയില്ലാത്ത വെറും സാധുക്കളായതുകൊണ്ട് അവരെ എക്സ്പ്ളായിററ് ചെയ്യുന്നതിന് ബുദ്ധിയും സാമൎത്ഥ്യവും ഉള്ളവരെ അനുവദിക്കാൻ പാടുള്ളതല്ല. ഈ ബില്ലുകൊണ്ട് ഇവയെ രജിസ്റ്റർ ചെയ്യിക്കുന്നതിനും അതിന്റെ പരമാൎത്ഥങ്ങൾ മുഴുവൻമനസ്സിലാക്കുന്നതിനും കള്ളക്കണക്കുകളുംമററും എഴുതിവയ്ക്കുന്നവരെശിക്ഷിക്കുന്നതിനും സൌകൎയ്യംകിട്ടുന്നതാണ്. ഈ മൂന്ന് സംഗതികളും അത്യാവശ്യമായിട്ടുള്ളതാണ്. എന്നാൽ ഇതുകൊണ്ടുമാത്രം മതിയാകുന്നതല്ല. എത്രയാളുകൾ മെമ്പേർസായിച്ചേരുന്നു? ആകെ എത്രരൂപാ പിരിയുന്നു? അതിൽമരിച്ചവരുടെ അവകാശികൾക്കു എത്രരൂപാ കൊടുക്കുന്നു? കൊടുക്കാതിരിക്കുന്ന സംഖ്യ എത്ര? ഇതെല്ലാം വ്യവസ്ഥപ്പെടുത്തണം. രൂപാ അടയ്ക്കാതിരിക്കുന്ന ആളുകളിൽനിന്നും കിട്ടേണ്ട തുക കഴിച്ചു ഒരുസംഖ്യയെ ആണ് വീതിച്ചുകൊടുക്കുന്നത്. ഇങ്ങനെ അടയ്ക്കാതിരിക്കുന്നവരിൽ ധാരാളംപേരും പിന്നീട് അവരവരുടെ തുകകൾ അടയ്ക്കുന്നുണ്ട്. ഇങ്ങനെവരുന്ന തുകകൾ വീതിച്ചുകൊടുക്കുന്നില്ല. ഈ കണക്കുകളെ ശരിപ്പെടുത്തിവയ്ക്കുന്നതിനു ബില്ലിൽ വ്യവസ്ഥചെയ്യണം. അങ്ങിനെ ഇല്ലാത്തതിനാൽ ധാരാളം സംഖ്യ ആരും അറിയാതെതന്നെ അവർ എടുക്കുന്നുണ്ട്. ഈ തരത്തിലുള്ള സംഗതികൾ വരാതിരിക്കുന്നതിനു വേണ്ട വ്യവസ്ഥചെയ്യണം. പിരിച്ചെടുക്കുന്ന സംഖ്യയിൽനിന്നു അവകാശികൾക്കു കൊടുക്കുന്ന തുക പോകെ ഒരു സംഖ്യ ഡിപ്പാസിററായി ഉണ്ടായിരിക്കണം. അതിനു ഈ ബിൽ ഉപയോഗപ്പെടണം. ഇപ്പോൾ ഇങ്ങനെയുള്ള കമ്പനികൾ ധാരാളമുണ്ട്. കുറെക്കഴിയുമ്പോൾ ഏതാനും കമ്പനികൾ മരിച്ചുപോകേണ്ടതായിവരും. അങ്ങിനെ വരാതിരിക്കുന്നതിനു ഒന്നോ രണ്ടോ മൂന്നോ കമ്പനികൾകൂടി ചേൎത്തുനടത്തുന്നതിന് സൌകൎയ്യപ്പെടത്തക്ക വകുപ്പുകൾ ഈ ബില്ലിൽ ഉണ്ടായിരിക്കണം. ഇങ്ങിനെ പലസംഗതികളും ഈ ബില്ലിൽ ചേൎക്കണമെന്നപേക്ഷിക്കുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, in supporting the principle of the Bill I have great pleasure to congratulate the Government in making the right move at the proper time. But I think' since most of the provident insurance companies are likely to be insurance companies and since most of the life insurance companies may also happen to be provident insurance companies and since the principle involved in both these measures is the same, it would be better to consider both of them together. I am unable to understand why there should be two separate enactments for this purpose.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that there are two Acts in British India?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I know that. I cannot understand why, because there are two enactments in British India, there should be two Regulations in Travancore also.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does not the member know that Travancore is unwilling to differ from the Government in British India?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not think so. Even yesterday we were discussing the Width of Tyres Bill which we do not find in British India.

Sir, in this connection, I may refer to the proceedings of the Governor-General's Council.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know how, the member was able to get the proceedings of the Governor-Generals' Council?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Why should the member know that? Anyhow I may assure him that it is not a stolen property.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Is it a copy of the proceedings of the old Council? I know the proceedings of the new Council are not published.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes. The member must have known that the British Indian legislation on the subject is of 1912.

MR. P. S. MAHOMED (*Nominated*): ലൈഫ് അഷ്വറൻസ് കമ്പനികളിൽ സാധുക്കൾക്കു ചേരാൻ സൗകര്യമില്ലെന്നറിയാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): സാധുക്കൾക്കും ധാരാളം ചേരാം. അതിലേയ്ക്കു യോജിക്കുന്ന വകുപ്പുകൾ കൂടി ചേർത്താൽ മതി.

ലൈഫ് അഷ്വറൻസ് കമ്പനി എന്നു വച്ചാൽ ഞാൻ ധരിച്ചിരിക്കുന്നതു് ഒരു ക്ലിപ്തസമയത്തു പ്രീമിയം കൊടുത്തു് അയാൾ മരിക്കുന്ന

[A. S. Damodaran Asan.]

അവസരത്തിലോ മറേറതെങ്കിലും നിശ്ചിതസമയത്തോ ഒരു ക്ലിപ്തസംഖ്യ തിരിയെകൊടുക്കുക എന്നുള്ളതാണ്. ഇതുതന്നെയാണ് ഇൻഷ്വറൻസ്കമ്പനിഎന്ന് പറയുന്നതും ഇതിൽ തുകകൾ കൂടിയും കുറഞ്ഞും ഇരിക്കുന്നതാണ്.

Mr. M. GOVINDAN (*Nominated*): സാധു എന്നുവച്ചാൽ എന്താണു അൎത്ഥം?

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): പണമില്ലാത്തവർ എന്നാണ്സാധാരണ എല്ലാവരും പറഞ്ഞുവരുന്നതു്. അതിന്റെ സംസ്കൃതാൎത്ഥം വേറെ ആയിരിക്കും.

Mr. P. S. MAHOMED (*Nominated*): പ്രാവിഡൻറു് ഇൻഷ്വറൻസ്കമ്പനിയിൽ ചേരുന്നതിനു പ്രത്യേകം സൌകൎയ്യമുണ്ടെന്നറിയാമൊ?

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): പ്രാവിഡൻറു് ഇൻഷ്വറൻസ് കമ്പനിയിൽ ഒരു നിശ്ചിതസമയം വച്ചിട്ടുണ്ടു്. അതുപോലെയുള്ള ക്ലിപ്തസമയങ്ങൾ ലൈഫ്അഷ്വറൻസിൽ വയ്ക്കാവുന്നതാണ്. വച്ചുകൂടെന്നില്ല.

Mr. P. S. MAHOMED (*Nominated*): ചില സംഭവങ്ങൾ ഉണ്ടായെങ്കിൽ മാത്രമെ ഇതിൽ തുകകിട്ടാൻ സൗകൎയ്യം കിട്ടുകയൊള്ളു എന്നല്ലെ നിശ്ചയിച്ചിരിക്കുന്നതു്?

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ബ്രിട്ടീഷിൻഡ്യയിലെ വലിയ ഇൻഷ്വറൻസ് കമ്പനികളെ ഇവിടെ അഞ്ചുരൂപാ കൊടുത്തു ചേരുന്ന കമ്പനികളോടു താരതമ്യപ്പെടുത്താൻ പാടില്ല. മരിക്കുന്ന അവസരത്തിലൊ അല്ലെങ്കിൽ ക്ലിപ്തമായ വയസ്സിലൊ ഒരു ശരിയായ സംഖ്യ കിട്ടത്തക്കവണ്ണം കുറേശ്ശ രൂപാ അടച്ചുതീൎക്കണമെന്നാണ് ഇതിന്റെ പൊതുവെയുള്ള തത്വം.

So, I think there would not be much difficulty in considering these two Bills together. It could certainly be tried whether we cannot manage with one Bill. I am not unaware of the fact that there are certain differences in certain matters between the two kinds of companies. But such differences cannot stand in the way of our considering the two Bills together.

There is one point, Sir, which I have to make special mention of, namely, these provident insurance societies are likely to attract mostly the poor people in the country. So, it is the interests of the poor that this Provident Insurunce Societies Bill seeks to protect. As Mr. Mahomed observed, there are only three ways in which Government can regulate or supervise the working of the provident insurance companies. It is

very desirable to provide that these companies must furnish some security or deposit some money with Government or with some responsible bank, to ensure that the promise, that they have held out to the poor people, would be fulfilled. I have no objection to the minimum amount of such deposit being reduced in the case of these companies. It need not be Rs. 25,000 in the case of these companies, as prescribed in the other Bill. But, there must be no exception to this rule. All the insurance companies must be compelled to deposit some security so that there would be a guarantee that they would be worked properly.

Mr. E. V. Krishna Pillai has been asking as to what is to be done in the case of insurance societies already started, societies which are not going to be registered under this Bill. I daresay, the policies will have the force of valid contracts under which the repayment of the money, with other benefits, can be enforced. Clause 25 of this Bill also provides that payments so made would not be void.

With these observations, I support the principle of the Bill.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Sir, I also congratulate the Government for asking the Law Member to come forward with this Bill at a time when it has become absolutely necessary for the protection of the people. But, I am sorry that this Bill does not meet the demands of the occasion.

Sir, the Law Member has told us that there is some principle underlying the Bill, that that principle may now be accepted, and that the necessary changes may be effected in the Select Committee. Personally, I am unable to see any principle involved in this Bill except the principle that the Government feel that some sort of legislation *is* necessary or has now become necessary, in this matter in order to protect the people of the country. That, Sir, I believe, cannot be said to be a principle underlying a piece of legislation. Something more tangible than the mere statement by the Law Member that the principle of the Bill may be accepted by the House, is necessary in order that it, may be called 'the principle underlying the Bill' in the true sense of the expression. I shall now proceed to substantiate my statement that really there does net seem to be any principle underlying this piece of legislation.

My friend Mr. Asan has been suggesting that it would be better to amalgamate the two Bills. Sir, I may point out to him that the necessity for two Bills on insurance societies has arisen here because there are two such enactments in British India on insurance. And, the amalgamation of the provisions in both the enactments involve some time and some better attention, particularly because suitable changes have to be effected to make it applicable to local conditions. As the Law Member said, it is not more than a week or ten days since this Bill was published in the Gazette. From that the House can infer the haste with which the Bill has been prepared, or rather the lack of time at the disposal of the Law Member to prepare a more considered Bill.

[Mr. S. Krishna Pillai.]

One reason why I say that this Bill lacks any principle is this. Clause 3 of the Bill says:

"Nothing in this Regulation shall apply to any Provident Insurance Society........, which undertakes to pay......an annuity exceeding fifty rupees or a gross sum exceeding five hundred rupees, or which receives.........contribution.............exceeding two hundred and fifty rupees........"

Sir, it is well known that many of the prospectuses published by these societies do not contain any undertaking to pay *any* definite sum. This Bill is sure to be rendered infructuous on account of the existence of this one provision in it. This House knows full well that the Chitties Regulation was brought into being at a time when it was considered absolutely necessary for the safety of the people of Travancore. That piece of legislation was rushed through the Council, and it has been on our Statute Book all these years. It is now well known that that Regulation has now been rendered inoperative, practically, on account of the inadequacy of the provisions contained in it. The object of that Regulation was to control all the *chitties* in the State. We now find that there is not one *chitty* which is under control. We now find a lot of *kuri chitties* to which our present Chitties Regulation does not apply at all. There are several provisions in the Regulation for safeguarding the interests of the people. We now find that every one of those provisions is being avoided by the foremen; The spirit of the enactment has been forgotten, and the wording of it is inadequate for our present needs. Similarly, Sir, if this Bill is now introduced and if it becomes law, you will find that in no time the provisions of it are violated, cleverly evaded, by people who organise these societies. Within a very short time after the passing of this enactment, you will find that there is not one such society in the whole State which would come under the purview of this measure.

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): Does the member think that any society can evade the provision contained in clause 15?

MR. S. KRISHNA PILLAI (*Karunagapalli*). Why should my friend go so far as clause 15? Any society may come forward and say that the whole enactment does not apply to it since it does not come within the definition contained in clause 3. There is no society at present in Travancore which guarantees the payment of any definite sum to any policy-holder.

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): But, is there not the other alternative, namely, of the policy-holders paying definite sums to the societies? That will bring them under the definition.

MR. S. KRISHNA PILLAI (*Karunagapalli*): By itself, I do not think this Bill would cover the cases of all societies now in existence in Travancore.

MR. A. THANU PILLAI (*Trivandrum*): Along with the other Insurance Bill, does not the member hope that this Bill would cover all cases?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I am very pessimistic about it; because, the two Bills draw certain well-defined distinctions between the two classes of insurance societies.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does not the member see that this Bill would apply to all insurance societies which do not assure payment of more than five hundred rupees?

MR. S. KRISHNA PILLAI (*Karunagapalli*): This Bill alone applies to provident societies. It is clearly stated in the other Bill that it does not apply to provident societies. So, if a provident society is started without undertaking to pay any amount or with suitable terms of payment or contribution to escape from the provision in this Bill it can very well escape from both these Bills.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I point out to my friend that every insurance society, is according to the definition, a provident society?

MR. S. KRISHNA PILLAI (*Karunagapalli*): There is a lot of difference between the definitions in the two Bills. And, if, according to my friend, every insurance society is a provident society according to the definition of the latter, then, why provide an exception, in the Life Insurance Bill, to the effect that that Bill would not apply to societies to which this Bill would apply?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): May I know whether there is any inconsistency between the two Bills?

MR. S. KRISHNA PILLAI (*Karunagapalli*): There *is*; and a good lot of inconsistency. You will find that the law applicable to societies coming within the purview of this Bill will not be applicable to the societies coming within the purview of the other Bill. And then, there must be some distinctive feature to enable us to distinguish the two kinds of societies. Now, there seems to be considerable room for difference of opinion in regard to that. All that I say is that there is ample scope for evading this enactment as these societies are at present constituted.

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): Will the member clearly explain how it would be possible to evade the provisions of this Bill?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I doubt very much whether the member, who now puts questions to me, had not much to do with the drafting of this Bill; because, it is natural, Sir, that the draftsman or the originator does not find any error or defect in the Bill he has drafted. Sir, my own impression on going through these two Bills is that there is much scope for evading them. I am sure that, those who do not accept my statement now will find later on that what I say now has become true. It was for this purpose that I invited the attention of the House to the Chitties Regulation. We are now having a lot of *kuri chitties* which do not come within the definition of *chitty* in the Chitties Regulation; and the High Court have

[Mr. S. Krishna Pillai.]

held that these *kuri chitties* are not lotteries. My own fear is that the present Bill will land us in similar difficulties.

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): Does not the member think that the provision contained in clause 4 is sufficient to avoid any such contingency?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Clause 4 says:

> "No provident.........society shall receive any premium.........for insuring money to be paid on the death of any person other than the person paying such premium.......or the wife, husband, child, parent, brother or sister of such person."

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): "*No*.........society *shall* receive any premium........."

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated*), *Deputy President*): Do you not think, Mr. Krishna Pillai, that the definition of provident insurance society, contained in sub-clause (8) of clause 2, is sufficiently comprehensive?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I have my own doubts, Sir.

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): What has the member to say about clause 7? It says:

> "*No* provident insurance society *shall* receive *any* premium.........*unless it is registered*..........."

MR S. KRISHNA PILLAI (*Karunagapalli*): I quite see that. But before coming to clause 7, I would like to point out one serious mistake found in clause 6. Clause 6 contemplates the coming into existence of an officer with extraordinary powers. That clause says that the Registrar appointed by Government shall have power to refuse to register any society on the pretext that it does not satisfy certain rules. May I ask the member, who has drafted this Bill, to tell me what exactly are the rules that he has in view? Does not this provision of this Bill invest an officer of Government with extraordinary powers of refusal? Is he bound to assign any reason for such refusal? Is there any provision in the Bill to the effect that some particular rule shall form part of the prospectus of the society, any provision in the Bill to the effect that, under certain circumstances, no company shall be conducted; any provision—I again ask—which entitles a person, on satisfying certain conditions, to have his company registered.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I draw the attention of my friend to clause 5 of the Bill?

MR. S. KRISHNA PILLAI (*Karunagapalli*): All that clause 5 says is:

> "Every provident......society shall,...
> (*a*) specify the object, name......;
> (*b*) prescribe the proportion of the annual income of the society......;
> (*c*) ......, provide for the payment of all debts due............; and
> (*d*) provide for any other matters which may be prescribed."

Does it say that, if these conditions are satisfied, the Registrar is bound to register the society?

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated*), *Deputy President*): Clause 4 (*d*) says:

> "(*d*) provided for any other matters which may be prescribed."

MR. S. KRISHNA PILLAI (*Karunagapalli*): "......prescribed......", by whom?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Clause 2, sub-clause (7), says that "prescribed" means prescribed by rules made under this Regulation."

MR. S. KRISHNA PILLAI (*Karunagapalli*): That is exactly my complaint. Why not these rules form part of the Bill, so that they may be considered by this House? As it is, the framing of the rules is entirely left to the discretion of Government.

Clause 6, sub-clause (1), says that every provident society should get registered within three months from the commencement of this Regulation. What are these societies, or rather the people, to do during these three months?

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): May I draw the attention of my friend to clause 20?

MR. S. KRISHNA PILLAI (*Karunagapalli*): It provides that if the Registrar refuses to register, the society can prefer an appeal. What is it that such societies would ordinarily do to avoid going to civil courts? They would, of course, try their best to satisfy the officer; and I need not expatiate on the sort of situation that would be created if the officer happens to be an unscrupulous person. Sir, there ought not to be *any* provision in *any* enactment vesting *any* person with such extraordinary powers as would tend to the perversion of justice. It is therefore absolutely necessary that the conditions under which a society may exist must be definitely stated in the enactment itself. It ought not to be left entirely to the discretion of an officer of the Government.

Sir, there is another important matter which has been lost sight of by the framers of this Bill. The eminent advocates of the need for an enactment of this kind, the need for controlling such societies, base their case on one important reason; and that reason has not been countenanced in this Bill. These provident societies are never worked and have never been worked on scientific basis. They have been originated by the exertions of a few energetic men who wanted to do something for the poor people in the country. They are based more on the imagination rather than on any scientific thinking. And, it has been stated by eminent men that these societies would not be able to fulfil all their obligations. I have read reports of these societies and have found out that, in most cases, they are not able to distribute the money due to the policy-holders on the maturity of the policies. (The common rule in the case of most of these societies is that, after the expiry of twelve years of continued payment, the policy would be considered to have matured giving the holder the right to get from the society a definite sum not less than one and a half times the money actually paid to the society.) It has been opined by eminent men that, unless these societies conserved money, it would not be possible for many of them to pay the promised amount to the policy-holders at the date of maturity of their policies. I do not think any provision has been made in this Bill to make these societies conserve some money.........

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): Can it not be prescribed by rules to be framed under this enactment?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : If every matter is to be provided by rules, there is need only for a one-clause-Regulation, stating, "All provident societies shall hereafter be governed by rules to be framed by Our Government." As I have already stated, Government ought not to be given a free hand, in such matters vitally affecting the people.

MR. M. GOVINDAN (*Nominated*): Will the member kindly point out the provision which gives the Registrar extraordinary powers?

MR. S. KRISHNA PILLAI (*Karunagapalli*). Clause 6 is one.

MR. M. GOVINDAN (*Nominated*): Which sub-clause, please?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Sub-clauses (1), (2) and (3)

MR. M. GOVINDAN (*Nominated*) : I am not able to see any extraordinary power there.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : It is open to the Registrar to say that the rules of the society or the application for registration is not in conformity with the provisions of the enactment.

MR. M. GOVINDAN (*Nominated*) : But, he has to state the grounds for his refusal.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Sub-clause (2) of Clause 6 simply states that if the Registrar is satisfied that the rules of the company comply with the provisions of this enactment, he shall register the society. It is therefore open to him to say, "This rule of yours is bad; the other rule is wrong and not in accordance with the provisions of the Regulation; and so I am not going to register your society now." Where is the provision which enables the society, if it satisfies specified conditions, to claim registration, at the hands of the Registrar, as a matter of right? And, as I have already pointed out, there is also no provision for compelling the societies to put by reserves.

Therefore, Sir, it seems to me that this Bill is extremely unsatisfactory; and Government will do well to withdraw this Bill and to introduce another with suitable provisions and sufficient safeguards for the people. That is the reason why I said even at the outset that there does not appear to be any principle underlying this Bill. The necessity for controlling these societies was keenly felt by the people and later by the Government also; and so a Bill was prepared in haste and introduced in this House.

MR. R. VAIDYALINGAM PILLAI (*Registrar of Co-operative Societies*): The main principle underlying this Bill is that some control is necessary over these societies.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I am prepared to admit that, if that can be called the principle of the Bill. That, perhaps, finds a place in the statement of objects and reasons attached to the Bill. There is not much use in feeling the necessity for exercising

control. The control sought to be exercised must be effective control. Otherwise, there is no purpose in enacting a measure of this kind. Unless the Select Committee is empowered to make drastic changes in the Bill, even at the risk of their going beyond the scope of the Bill, there is no use in introducing this Bill which does not meet the requirements of the occasion. Otherwise, I oppose the Bill as it stands.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I had very little to do in the real drafting of the Bill; because it is only an adaptation of the Act in British India. That enactment has not been found to be defective or unworkable yet in any way in practical working.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that it has not done any advantage to the country where it is in force?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It has been working fairly well so far as I know for two decades. If any change is considered necessary in this Bill, it can be made in the Select Committee.

I therefore move that the Bill be referred to a Select Committee.

The motion was put and carried.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I beg to read the title of the Bill:

"A REGULATION TO PROVIDE FOR THE REGULATION OF PROVIDENT INSURANCE SOCIETIES."

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that the Bill be referred to a Select Committee consisting of:

1. Rao Bahadur A. Venkatarama Aiyar.
2. Mr. A. S. Damodaran Asan.
3. Mr. K. P. Abraham.
4. Mr. K. P. Madhavan Pillai.
5. Mr. K. C. Karunakaran.
6. Mr. S. Krishna Pillai.
7. Mr. R. Nilakanta Pillai.
8. Mr. R. Vaidyalingam Pillai, and
9. Mr. Kayalam Paramesvaran Pillai, and that the Committee should report within four months.

The motion was put and carried.

PRESIDENT: Mr. A. Venkatarama Aiyar will be the Chairman of the Committee.

THE TRAVANCORE LIFE ASSURANCE COMPANIES BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce another Bill, a Bill to provide for the Regulation of the Life Assurance Companies in Travancore. The Bill

[Mr. Kayalam Paramesvaran Pillai.]

has been published in the Gazette with a statement of objects and reasons.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second the motion

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): At the fag end of the day I do not want to detain the House long about the principles involved. I shall say frankly that I do not claim any originality for this Bill. It is an adaptation of the Act that has been in operation in British India for the last ninete n years. The main principle is that every life assurance company must deposit a certain sum with the Government and continue to deposit a further sum in accordance with their revenue and profits, and must also submit to Government all important papers, which they are likely to publish in order to give publicity to the financial position and status of these companies. It is hoped that, the assurance companies could be made to work with benefit to the persons who invest sums in such companies.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the Law Member's opinion in regard to the amalgamation of the two Bills,

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If the House accepts the principle of this Bill, I propose to move that this Bill also be referred to the same Select Committee, so that if the Committee thinks that this may be amalgamated with the other, it may be done by the committee. I have no objection to such amalgamation.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has the Law Member any objection to bring within the scope of this enactment foreign companies working in Travancore?

MR. KAYALAM PARAMESWARAN PILLAI (*Additional Head Sirkar Vakil*): Already they are within the purview of this Bill.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I may read clauses 20 21, 22, 23 and 24 of the Bill:

[The Member read clauses 21 to 24 of the Bill.]

Does the member think that by the enactment of this measure we can exercise better control over the foreign companies?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): According to this Bill, no provision is made for taking securities from foreign companies.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does not the member know that our Banking Enquiry Committee, in their report, has made a recommendation that some control ought to be exercised over the moneys now being drained out of Travancore, by the foreign life assurance companies?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They have proposed that some control ought to be exercised. I do not think they have gone into details.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is that the only recommendation made by the Banking Enquiry Committee? Does the member know that the Indian Central Banking Enquiry Committee has made a stronger recommendation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Our Banking Enquiry Committee says that safeguards should be provided in the interest of the savings made by the people.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Yes; that is the recommendation. Has the Law member any objection in accepting the principle of that recommendation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Certainly not; if any omission has been made in this Bill that may be filled up by the Select Committee.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Sir, I accept the principle contained in this Bill. The only thing I have to say in regard to this is, that it ought to have formed part of the Statute Book of our State long before. Without going into details, the Law member merely stated that a similar enactment has been in operation in British India for the last nineteen years, and that all these years the British Indian Financiers and the British Indian Statesmen have been dealing with the subject and have not made a recommendation similar to that contained in the report of the Indian Central Banking Enquiry Committee about the exploitation of the British Indian moneys by foreign insurance companies. That committee has stated that the law on insurance companies must be so amended as to enable the State to compel these societies to invest their moneys in the State itself, for the benefit of the people of the State. I suppose Travancore also will be in a position to make sufficient provision in this Bill which would enable the State to exercise adequate control over the money collected from the people here. We are now dealing with a large enterprise carried on by these companies; and a large amount of money is being taken out of this country every year by these companies. I believe that the House will consider the question carefully and make suitable provisions in this Bill. With these observations I support the principle of the Bill.

PRESIDENT: The motion is that the principle of the Bill be accepted.

The motion was put and carried.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I beg to read the title of the Bill:

"A Regulation to provide for the regulation of Life Assurance Companies in Travancore"

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that this Bill also be referred to a Select Committee, constituted of the same members as those nominated for the previous Select Committee, and that the Committee should report within four months.

The motion was put and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Chairman of the Committee has to be nominated, Sir.

PRESIDENT: Mr. A. Venkitarama Iyer will be the Chairman.

The Council adjourned at 5·25 P. M.

P. VISVANATHA AIYAR,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL

FIRST SESSION OF 1107.

(*OFFICIAL REPORT.*)

Monday, the 25th April, 1932/13th Medam 1107.

The Council re-assembled in the Victoria Jubilee Town Hall, at eleven-thirty of the clock, the President presiding.

QUESTIONS AND ANSWERS.

Memorial from the President of the Pandalam-Tonnallur Nayar Co-operative Society.

226. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state;

(*a*) whether they have received a memorial from the President of the Pandalam-Tonnallur Nayar Co-operative Society, No. 71, dated the 20th Chingam 1107; and

(*b*) if the answer to part (*a*) is in the affirmative, whether any steps have been taken to give relief to the afflicted ryots?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) The matter is being investigated by the Division Officer, Quilon.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What were the prayers contained in the memorial?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The important prayer in the memorial was the widening of the canal from Kizhakkekkadavu.

MR A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Was it not stated in the memorial that, during the rainy season, every year, the ryots suffer heavy loss, because this canal has not been widened?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): It is stated there that the ryots are being put to great difficulty on account of the non-repair of the canal.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If the work is not done immediately, is it not likely that every year the ryots would be put to great loss and inconvenience?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Government will look into the matter. The matter is now being investigated by the P. W. Division Officer, Quilon. The work will be taken up as funds are available.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Will the Government be pleased to treat the work as very urgent in view of the fact that, if the canal is allowed to lie in disrepair, the ryots would be put to *recurring* loss every year ?

MR. A. KUMARA PILLAI ((*Ag. Secretary to Government*): As I said, the matter is being investigated by the P. W. Division Officer, Quilon, and the question will be taken up when he submits his report.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Have the Government informed the P. W. D. officers that, in view of the urgency of the matter, they must expedite their work of investigation ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): No.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Do not the Government feel that the matter is urgent in view of the recurring loss which the ryots are put to ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : The question can be decided only after the report of the Pubic Works Department has been received.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is the Chief Engineer to report on the question whether the ryots are really being put to any loss *every year* ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) No.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*). Has the Chief Engineer been asked to investigate that question also ?

MR. A KUMARA PILLAI (*Ag. Secretary to Government*) : No. The petition was sent to the Chief Engineer by the Government, and the Chief Engineer, has, in turn, sent it on to the Executive Engineer for investigation and report. That is how the matter stands now.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to ask the Chief Engineer to treat the matter as urgent ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That may be done.

Appointments made in the Medical Department during 1105 and 1106.

227. **MR. P. S. MAHOMED** (*Nominated*) : Will the Government be pleased to state the number of appointments made during 1105 and 1106 in the Medical Department and the number of Muslims who got such appointments ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Statements* containing the information required by the member are laid on the table.

Resident Medical Officer, General Hospital.

228. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*) : Will the Government be pleased to state :

---

* *Vide* Appendix I.—page 615.

(*a*) the term for which the present (28-11-1932) Resident Medical Officer in the General Hospital was appointed as such;

(*b*) whether the period of one year for which Resident Medical Officers are generally appointed will hold good in the case of the present officer also;

(*c*) whether he is not a specialist in the X-ray Department and drawing an allowance for being in charge of the same;

(*d*) if so, the reason for appointing him as the Resident Medical Officer;

(*e*) the reason for continuing him as the Resident Medical Officer even now after the expiry of the period of one year; and

(*f*) whether it is due to the fact that none of the other Assistant Surgeons are willing to accept the place that the present officer is continuing as the Resident Medical Officer?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) One year from the 23rd November 1930.

(*b*) Yes; but due to exigencies of service, the Administrative Board, Medical Services, is continuing the present incumbent.

(*c*) Yes.

(*d*) It is reported that none of the other Medical graduates available at the time the post fell vacant could be conveniently appointed as Resident Medical Officer.

(*e*) and (*f*) The Administrative Board, Medical Services, has stated that the question of posting another officer as Resident Medical Officer will be taken up when transfers are considered.

Statement, by caste, of the clerks, compounders and peons in the Medical Department.

229. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of the clerks, compounders and peons in the Medical Department showing also the dates of their appointments?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): A statement † containing the information required by the member is laid on the table.

Statement, by caste, of appointments made in the Water Works Division in 1105 and 1106.

230. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of the appointments made in the Water Works Section of the Engineering Department in 1105 and 1106?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The statement* required by the member is laid on the table.

† *Vide* Appendix II—pages 616—621.

**Vide* Appendix III—pages 622—623.

Extent of land assigned in 1106.

231. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): Will the Government be pleased to state the number of persons amongst the landless classes to whom land was assigned in the year 1106?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): 284.

Extent of land sold for arrears of tax in 1106.

232. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): Will the Government be pleased to state the number of persons whose holdings were sold away for arrears of revenue in 1106?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): 46.

Particulars re Sub-Registry Offices in the State.

233. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): Will the Government be pleased to state:

(*a*) the names of the Sub-Registry Offices in which the total number of registrations fell short of 3,000 in 1106;

(*b*) the names of the Sub-Registry Offices that were worked at a loss to the Government in the same year;

(*c*) the number of Sub-Registry Offices the income from which exceeded their respective expenditure by 25 per cent. or more; and

(*d*) whether it is proposed to abolish any Sub-Registry Office the income from which is in excess of its expenditure?

MR. K. GEORGE (*Chief Secretary to Government*):

(*a*)
1. Tovala
2. Agastisvaram
3. Agastisvaram Additional
4. Amaravila
5. Alur
6. Tonnakkal
7. Maranallur
8. Navaikulam
9. Kollenkod
10. Kalkulam
11. Shencotta
12. Nuranad
13. Pattanamtitta
14. Chengannur
15. Pandalam
16. Cheppad
17. Ranni
18. Tiruvalla Additional
19. Aranmula
20. Ambalapuzha
21. Alleppey
22. Veliyam
23. Kollakadavu
24. Mararikulam
25. Kadutturutti
26. Ettumanur
27. Kottayam Additional
28. Kanjirapalli
29. Minachil.
30. Bharananganam
31. Muvattupuzha
32. Kotamangalam
33. Koottattukulam
34. Aikaranad
35. Parur
36. Parur Additional
37. Devicolam
38. Peermade

(*b*) None.

(*c*) 80 out of the 82 offices (excluding the *ex-officio* offices at Peermade and Devicolam).

(*d*) The abolition of a few more offices is under the consideration of Government. The question for consideration in such matters is

not whether the income from any office is more than the expenditure, but whether the office has sufficient work, and whether any serious public inconvenience will be caused by its abolition.

Construction of a bridge at Tottapalli.

234. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state :

(*a*) whether the construction of a bridge at Tottapalli has begun ;

(*b*) if it is not begun, the reasons for the delay in starting the construction of the bridge ; and

(*c*) whether the bridge is arranged to be constructed directly by the Public Works Department or by some engineering firm as in the case of the Neendakara bridge?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : (*a*) No.

(*b*) The provision made for the work is proposed to be utilised by Government on other more urgent new expenditure.

(*c*) This is not decided.

Statement of appointments made by Mrs. D. M. Philipose, Assistant Inspectress of Vernacular Schools.

235. **MR. K. P. MADHAVAN PILLAI** (*Shertallai*) : Will the Government be pleased to lay on the table a statement showing

(*a*) the number of appointments made since the beginning of the year 1106, with special reference to the communities to which the applicants belong, in the Vernacular Schools for girls at the instance of Mrs. D. M. Philipose, Assistant Inspectress of Girls' Schools ; and

(*b*) the number of applicants from non-Christian communities ?

MR. K. GEORGE (*Chief Secretary to Government*) :

(*a*)	(1) Nayars	...	27
	(2) Ezhavas	...	9
	(3) Other Hindus	...	2
	(4) Christians	...	37
	Total	...	75

(*b*) 123.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : May I know the number of applications from Christians ?

MR. K. GEORGE (*Chief Secretary to Government*): That has not been asked in the question and the information is not, therefore, now before me.

MR. K. P. MADHAVAN PILLAI (*Shertallai*) : May I know whether, out of the 123 non-Christian applicants, only 38 were appointed?

MR. K. GEORGE (*Chief Secretary to Government*) : Yes.

Statistics re small-pox in 1107.

236. **MR. K. P. MADHAVAN PILLAI** (*Shertallai*) : Will the Government be pleased to state :

[Mr. K. P. Madhavan Pillai.]

(*a*) the number of attacks of small-pox in the State from the beginning of 1107;

(*b*) the number of casualties from small-pox since the beginning of the year 1107;

(*c*) the measures taken by the Government to prevent the spread of the epidemic except the usual course of vaccination; and

(*d*) the amount of expenditure incurred by the Government for the prevention of epidemics?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) 4,809 up to the 21st Meenam 1107.

(*b*) 1,285 deaths up to the 21st Meenam 1107.

(*c*) In addition to the extensive vaccination campaigns, measures such as disinfection of infected materials and surroundings and the segregation of patients are adopted wherever possible. The importance of proper nursing of patients and segregating them in their own houses and the advantages of vaccination are emphasised by Sanitary Circle Officers in lectures, talks and pamphlets. Temporary rules under the Epidemic Diseases Regulation have been passed for enforcing vaccination in rural areas.

(*d*) Rs. 450, approximately, by the Sanitary Department in regard to small-pox.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Are the Government satisfied that an expenditure of Rs. 450/- by the Sanitary Department would meet the requirements in view of the large number of attacks by small-pox?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*); That is the expenditure incurred by the Sanitary Department.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Has any other Department incurred any expenditure on this behalf?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Vaccination and other methods of prevention have, as usual, been done by the permanent staff.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Do not the Government realise that the amount they set apart for this purpose is too small to meet the requirements of the situation?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): If more money is needed, Government would only be too glad to spend it.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Which is the taluk that has suffered the greatest number of deaths due to small-pox?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I have not got the information; I claim notice.

Books in the Trivandrum Public Library.

237. **MR. JOSEPH KUNJU** (*Changanachery* cum *Peermade*): Will the Government be pleased to state books of what all languages are there in the Public Library?

MR. K. GEORGE (*Chief Secretary to Government*): Books in the English, Malayalam, Tamil, Sanskrit, Telugu, Hindustani and Arabic languages are in stock in the Public Library.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : പബ്ലിക്ക് ലൈബ്രറി സെക്രട്ടറി സ്ഥാനത്തുനിന്നും മിസ്റ്റർ ടി. കെ. വേലുപിള്ളയെ മാററിയതിനെ സംബന്ധിച്ചുള്ള എന്റെ ചോദ്യത്തിന്റെ ഒരു വിഭാഗമായിട്ടാണ് ഈ ചോദ്യം ചോദിച്ചിരുന്നതെന്നും എന്തോ കാരണത്താൽ ഇതിനെ വേറെ പിരിച്ചാണ് ഗവണ്മെൻറു മറുപടി തന്നിട്ടുള്ളതെന്നും മെമ്പർക്കറിയാമൊ ?

MR. K. GEORGE (*Chief Secretary to Government*): അറിഞ്ഞുകൂടാ.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : പബ്ലിക്ക് ലൈബ്രറിയിൽ നിന്നും ഇക്കഴിഞ്ഞ രണ്ടു മൂന്നു ദിവസങ്ങളിൽ വല്ല പുസ്തകങ്ങളും നഷ്ടപ്പെടുകയൊ മോഷണം പോകയൊ ചെയ്തിട്ടുള്ളതായി മെമ്പർക്കറിയാമൊ ?

MR. K. GEORGE (*Chief Secretary to Government*) : അറിഞ്ഞു കൂടാ

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): രണ്ടു മൂന്നു ദിവസത്തിനു മുമ്പു മെമ്പറോടു ഞാൻ ഉപചോദ്യം ചോദിച്ചപ്പോൾ പബ്ലിക്ക് ലൈബ്രറിയിൽ ഹിന്ദിപുസ്തകങ്ങളുണ്ടെന്നു മറുപടി പറഞ്ഞു. ഇന്നത്തെ മറുപടിയിൽ ഹിന്ദി പുസ്തകങ്ങളുള്ളതായി കാണുന്നില്ല. ആ പുസ്തകങ്ങൾ എങ്ങിനെ എവിടെ പോയി എന്നു മെമ്പർക്കറിയാമൊ ?

MR. K. GEORGE (*Chief Secretary to Government*) : അന്നു പറഞ്ഞതു് തെററിപോയി; ഹിന്ദി പുസ്തകങ്ങളല്ല ഹിന്ദുസ്ഥാനി പുസ്തകങ്ങളാണ് അവിടെയുള്ളതു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*). അന്നു എന്താസ്പദമാക്കി എങ്ങിനെയാണ് ഈ മറുപടിപറഞ്ഞതു്?

MR. K. GEORGE (*Chief Secretary to Government*) : ഊഹം കൊണ്ടുപറഞ്ഞതാണ്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഊഹാപോഹങ്ങളെ അടിസ്ഥാനമാക്കിയാണൊ ജനപ്രതിനിധികളോടു മറുപടി പറയുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*) : അതു തെററിപോയി എന്നു സമ്മതിച്ചു കഴിഞ്ഞല്ലൊ.

Popularisation of silk industry.

238. **MR. N. JOHN JOSEPH** (*Nominated*) : With reference to the 250 acres of land in Vettampalli, Neduvangad taluk, reserved by them for the cultivation of mulberry trees and the popularisation of silk industry among the depressed classes, will the Government be pleased to state :

(*a*) the steps taken by them to popularise the said industry among these people;

(*b*) whether they are aware that the authorities in the Neduvangad taluk have, contrary to the intention of the Government, started proceedings against the depressed classes for encroachment, got them punished and evicted them from the lands handed over to them by the Government in blocks of five acres each for mulberry cultivation; and

(*c*) whether they are aware that the major portion of these lands have, contrary to the intention of the Government, been sold in auction by the authorities of the said taluk in favour of other communities at such high rates of *tadivila* and *taravila* on the plea that the occupants have not been able to deposit the dues at these enhanced rates?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) An extent of 133 acres and 68 cents of land comprised in Resurvey No. 2920, etc., of the Anad pakuthi was at first transferred to the Agricultural Department for assignment to the members of the depressed classes for mulberry cultivation. But, subsequently, as it was found that sericulture without an established silk industry in the State would not be successful, Government ordered that the lands already transferred to the Agricultural Department should be retransferred to the Revenue Department for assignment under the *Puduval Rules* and the question of assignment of lands to the members of the depressed classes for mulberry cultivation was dropped.

(*b*) In cases in which the occupations were found to be not *bona fide*, steps were taken under the rules by the Revenue Department for evicting the occupants and it is possible that among those who were evicted there might be members of the depressed classes. But an extent of nearly 24 acres has been assigned to 11 families of the depressed classes whose occupations were found to be *bona fide*.

(*c*) In cases where the parties failed to remit *taravila* and other dues, the parties were evicted under the Land Conservancy Regulation and further steps taken for the disposal in auction of the lands concerned in accordance with the rules on the subject.

Flood relief measures.

239. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*): Will the Government be pleased to state:

(*a*) whether they are in receipt of the resolutions passed by a public meeting of the inhabitants of Alangad praying for remission of land tax and for grant of long-term agricultural loans as relief measures

for the total loss of crops they have sustained on account of the recent floods;

(*b*) whether it is a fact that the Government have now ordered an enquiry to be made and a list prepared of those who have sustained great losses and of those who have tried to raise second crop this year (1107); and

(*c*) whether it is a fact that those who have tried to raise a second crop this year are not going to get the benefit of the favour that the Government are likely to show to those who have not?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*), (*b*) and (*c*) The answers are in the affirmative.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): May I know the action taken by the Government on the resolution which was sent to them.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The Commissioner has reported on the matter; and Government are sanctioning the amount.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): With regard to part (*c*), that the answer is in the affirmative, what am I to understand from that? Will those ryots get remission or not?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The answer is there; they are *not* going to get any remission.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Why not?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The Government order is that remission would be granted only to those ryots who have suffered complete failure of crops. It is not allowed to those who have been able to raise a second crop.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Who was responsible for the enquiry into the question of the loss of crops?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The Revenue Department.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Will the Government be pleased to lay on the table a copy of the report of the Department on this matter?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No.

Expenditure on account of the Irrigation Committee.

240. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) the total expenditure hitherto (16-4-1107) incurred by them on account of the Irrigation Committee detailing the several items of expenditure;

(*b*) whether the Committee has submitted its report, and, if so, when; and

(*c*) the cause for the delay in supplying the members of this Council with copies of the same?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) The total expenditure incurred by Government on account of the Minor Irrigation Committee under establishment, allowances and contingencies is Rs. 9,103-1-5.

(*b*) The committee submitted its report on the 3rd October 1931.

(*c*) Printed copies of the report were received from the Press on the 20th February 1932 and the members of the Council were supplied with copies of the report by the close of March 1932.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Of the total expenditure of Rs. 9,103-1-5, may I know the separate amounts spent towards the establishment, towards allowances and towards contingencies?

MR. A KUMARA PILLAI (*Ag. Secretary to Government*): The question does not ask for that information; and it is not before me now.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): When was the report sent to the Press for the printing of copies?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): In December, 1931.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the Government have considered the proposals of the committee?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): That too does not form part of the interpellation.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): But I am now asking a supplementary question.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The report is under consideration.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Will the member be pleased to tell me when the Government will be able to pass final orders in the matter?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): I cannot answer that now.

Building for the Government Vernacular School at Kadakkad in Mavelikara taluk.

241. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(*a*) whether the Education Department has agreed that a building for the Government Vernacular School at Kadakkad in Mavelikara taluk would be put up if the public acquired the site for the same and deposited Rs. 150;

(*b*) whether the above conditions were satisfied by the public, and, if so, on what date;

(*c*) whether in answer to a representation by the Muslim Cooperative Society, the Director has replied on the 3rd May 1930 that the matter would be engaging his attention; and

(*d*) if the Department has not done anything till now (5-8-1107) for putting up the building, the reasons for the delay?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Yes. The deed transferring to the Government the site for the school is dated the 24th Kanni 1105.

(*c*) Yes.

(*d*) The Government have accorded administrative sanction for the construction of a new building for the school at an estimated cost of Rs. 4,500 and the Chief Engineer has been asked to take up the work when funds become available.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Has it been stated in the agreement between the people and the Education Department that the building would be put up only *after* funds become available?

MR. K. GEORGE (*Chief Secretary to Government*): I have not got with me now a copy of the deed of agreement; I am sorry, therefore, that I cannot answer the question now.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know why steps have not so far been taken to construct the building? The people have fulfilled *their* part of the contract.

MR. K. GEORGE (*Chief Secretary to Government*): The member knows very well our present financial difficulties.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): When did the financial stringency begin?

MR. K. GEORGE (*Chief Secretary to Government*): More than a year ago.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Was not the site transferred to the Government about two and a half years ago, on the 24th Kanni 1105, long before this financial stringency?

MR. K. GEORGE (*Chief Secretary to Government*): But, it was only after the people had satisfied their part of the agreement that the question could be taken up for consideration by Government. That, of course, took some time.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): After compelling the poor people to acquire a site and to deposit a decent sum, is it proper on the part of the Department to make the people wait indefinitely?

MR. K. GEORGE (*Chief Secretary to Government*): There is no question of propriety. If funds are available, Government would only be too glad to start the work.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In view of the agreement.................. ....

MR. K. GEORGE (*Chief Secretary to Government*): The agreement does not say that the Government will put up the building immediately after the execution of the agreement.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Am I to understand that, because the agreement happens to be silent on the matter, the Government can put off the construction of the building indefinitely?

MR. K. GEORGE (*Chief Secretary to Government*): Government are not postponing it indefinitely. As soon as funds become available for this purpose, Government will begin work.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Should not the Government keep their word?

MR. K. GEORGE (*Chief Secretary to Government*): Their word is only that they would put up the building; and they will surely do it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know when they choose to do it.

MR. K. GEORGE (*Chief Secretary to Government*): As soon as funds are available.

Reduction of the minimum fixed for loans issued from the Land Mortgage Bank.

242. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state whether they have received representations for modifying the rule with regard to the minimum fixed for the loans issued from the Land Mortgage Bank?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): No representations have been received but steps are being taken to reduce the minimum from Rs. 500 to Rs. 250.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): On what basis was this minimum of Rs. 500 fixed?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The minimum of Rs. 500 was considered to be a reasonable amount for the purpose.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): From the standard of the ordinary ryot of Travancore, or of the Government?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): From both.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the average wealth of a ryot in Travancore?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Statistics are not available on that matter.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know then how the Government were able to conclude that Rs. 500 was a reasonable figure from the stand-point of the ryot also?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): There is an idea now to reduce the minimum to Rs. 250.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is not the applicant for a loan bound to furnish security to the value of double the amount he has applied for?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): And, do the Government consider that the ordinary ryot in Travancore, who is in most cases heavily indebted, will be in a position to furnish good security to the value of Rs. 500 even?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): There was a proposal to reduce the minimum to Rs. 250.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) May I know when that will be brought into effect?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*); Soon.

Establishment of Municipal toll-gates in Changanachery.

243. **MR. JOSEPH KUNJU** (*Changanachery* cum *Peermade*): Will the Government be pleased to state:

(*a*) whether they have received any applications from the Changanachery Municipality requesting sanction to establish a Municipal toll-gate each on the Vazhur road and the M. C. road within the municipal limits of Changanachery; and

(*b*) if so, the decision arrived at by them in the matter?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) The question is awaiting the decision of the general question of maintenance of roads within municipal limits, now pending before Government.

Administration of the Kottayam Municipality.

244. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

(*a*) whether they have received any representations in 1106 and 1107 complaining of serious irregularities in the administration of the Kottayam Municipality;

(*b*) the names and representative character of the persons who submitted such complaints; and

(*c*) whether they called for an explanation from the President of the Kottayam Municipality and whether he has submitted any, and, if so, whether they will lay it on the table?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) (i) Mr. Abraham John, Municipal Councillor, Kottayam;

(ii) Mr. C. N. Sankara Panikkar, Municipal Councillor, Kottayam;

(iii) Mr. K. N. Sankunni Pillai, B. A., B. L., Municipal Councillor, Kottayam; and

[Mr. P. Visvanatha Aiyar.]

(iv) Mr. Maliakal Chandi Kurien and 3 others, rate-payers of Kottayam.

(c) Reports were called for from the Municipal President on the first two representations, and the reports were received. The reports are confidential and cannot be laid on the table.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): With regard to part (b), what action has the Government taken on the representations made by Mr. K. N. Sankunni Pillai, B. A., B. L., Municipal Councillor, Kottayam and Mr. Maliakal Chandi Kurien and three others, rate-payers of Kottayam?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It has been stated in the printed answers; reports were called for from the Municipal President, Kottayam.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): The answer only says that reports have been called for with regard to the *first* two representations. I am now asking with reference to the *last* two representations.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Reports were called for in regard to them also.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): So, the answer given in the printed answers is not correct?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The last two have been *alluded* to; *specific* reports on them were not called for.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): My question was whether Government had taken any action with regard to the last two representations.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): As the allegations made in them were the same as those in the first two, it was not considered necessary to call for reports specifically on them.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Was any enquiry made with regard to the last two representations?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The Dewan made enquiries regarding the complaints.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): What is the result of the enquiry?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It was found that there was no necessity to take any action against the President of the Kottayam Municipality.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Were the allegations substantiated?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Was any evidence taken?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No. It was not a formal enquiry that was made by the Dewan.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether, in view of the specific allegations made by such a large number of responsible representatives of the people, the Government will order an enquiry?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Government do not think it necessary. The Dewan went there and made the necessary enquiries informally. Government consider that no action is necessary; and the matter has been duly communicated to the representatives of the people.

Execution of a decree against Mr. Taylor, Band Director.

245 **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state whether they are aware —

(*a*) that one Mariamma Swariamma has, in O. S. No. 22 of 1092 in the Additional Munsiff's Court, Trivandrum, obtained a decree for damages for Rs. 400 against Mr. Taylor, Band Director, Nayar Brigade, for causing grievous hurt to the plaintiff by a fracture of a thigh bone;

(*b*) that the decree holder tried to realise the said decree amount by attachment of a portion of the judgment debtor's pay, by issuing a warrant against him and by attachment of the moveable property belonging to him;

(*c*) that the Commandant, Nayar Brigade, wrote a letter on the 1st Karkatakam 1100 to the Dewan that the judgment debtor's pay was not attachable and copy thereof was forwarded to the Munsiff;

(*d*) whether the Munsiff wrote on the 17th Karkatakam 1100 to the Commandant that Mr. Taylor had put in a petition consenting to the attachment of his pay;

(*e*) whether the Government called for the remarks of the High Court and the High Court on the 11th Chingom 1101 called for the explanation of the Munsiff;

(*f*) whether, on the 6th Meenam 1105 and the 21st Makaram 1106, the Commandant, Nayar Brigade, wrote to the Munsiff that no warrant would be allowed to be executed against Mr. Taylor;

(*g*) that, when steps were taken for the attachment of Mr. Taylor's moveables, Mr. Taylor did not permit the *Amin* to effect the attachment;

(*h*) that the Munsiff wrote to the Commandant also regarding the same and that the latter refused help in the matter;

(*i*) that the Munsiff on the 20th Meenam 1103 wrote to the Registrar, High Court, placing the whole matter before the High Court and seeking advice as to the further procedure;

(*j*) whether the High Court has taken any action on the above letter of the Munsiff;

(*k*) whether the Commandant wrote to the plaintiff on the 10th July 1931 in reply to her notice that neither the person, property nor the pay of Mr. Taylor could be proceeded against;

(*l*) whether the Commandant addressed the Government also regarding the same;

[Mr. N. K. Krishna Pillai.]

(*m*) whether the Government also received a suit notice sent on the 3rd July 1931 by the party;

(*n*) whether the Government have issued any order or circular discouraging the continuance in office of judgment debtors who do not discharge their decree debts, and, if so, whether that rule will apply to Mr. Taylor also; and

(*o*) whether the Government propose to take any action in the matter, and, if so, what?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) Yes.

(*e*) Government called for the remarks of the High Court, and the High Court called for the circumstances under which the attachment was made.

(*f*) Yes.

(*g*) Yes.

(*h*) Yes.

(*i*) Yes. But the Munsiff's letter is dated 12-1-1101.

(*j*) The High Court forwarded the letter of the Munsiff to Government and informed that the High Court could not interfere departmentally.

(*k*) Yes.

(*l*) Yes.

(*m*) Yes.

(*n*) The following rules has been passed by Government:—

"Every public servant,

(i) who is declared an insolvent; or

(ii) a moiety of whose salary is being constantly attached; or

(iii) a moiety of whose salary has been continuously under attachment for a period exceeding two years; or

(iv) a moiety of whose salary has been attached for a sum which cannot by that process be paid up within a period of two years,

is liable to removal from the public service, provided, however, that such removal will not ordinarily result in the forfeiture of the pension which the person concerned would then be entitled to under the rules.

Exception. No public servant shall, however, be liable to removal from service whose insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have prevented or over which he had no control, or which has not proceeded from extravagant or dissipated habits. The burden of proving such special circumstances shall always be upon the public servant concerned."

But, this rule is not applicable to Mr. Taylor's case.

(*o*) Government have ordered that Mr. Taylor should pay his debt at once. The Commandant has since reported that Mr. Taylor has discharged the debt accordingly.

Appendix I.

Vide **Answer to Question No. 227.**

Statement of appointments made in the Medical Department during 1105.

Designation.		*No.*	*Muslim.*
Assistant Surgeons	...	1	,,
Sub-Assistant Surgeons	...	6	,,
Compounders	...	10	,,
Midwives	...	3	,,
Acting Nurses	...	10	,,
Clerks	...	1	,,
Peons	...	15	1
Warders	...	7	,,
Watermen	...	6	,,
Scavengers	...	10	,,
Cooks	...	7	,,
Sweepers	...	4	,,
Totties	...	8	,,
Female servants	...	1	,,
Dhobies	...	1	,,
Total	...	90	1

Statement of appointments made in the Medical Department during 1106.

Designation.		*No.*	*Muslims.*
Assistant Surgeons	...	1	,,
Sub-Assistant Surgeons	...	12	,,
Compounders	..	13	,,
Midwives	...	22	,,
Trained Nurses	...	2	,,
Sick Nurses	...	2	,,
Clerks	...	6	,,
Peons	...	31	3
Warders	...	25	,,
Watermen	...	13	,,
Scavengers	...	9	,,
Cooks	...	9	,,
Sweepers	.	10	,,
Totties	...	2	,,
Dhobies	...	1	,,
Watchers	...	3	,,
Total	...	161	3

Appendix II.

***Vide* Answer to Question No. 229.**

Statement, by caste, of Clerks, compounders and Peons in the Medical Department.

CLERKS AND STEWARDS.

Name.	Caste.	Date of commencement of service.
Mr. Sam A. Samuel	Protestant	1-7-1088
,, P. Bhaskara Pillai	Nayar	30-9-1081
,, K. Madhavan Pillai	Do.	10-9-1076
,, S. G. Nambi Aiyangar	Other Brahmin	18-11-1093
,, K. Kesava Pillai	Nayar	27-10-1089
,, P. N. Damodaran	Ezhava	1-9-1087
,, M. V. Lakshmana Pillai	Nayar	5-12-1093
,, N. Govindan Nayar	Do.	15-9-1096
,, K. Sivasankara Pillai	Do.	26-4-1096
,, K. S. Venkatachalam Aiyar	Other Brahmin	20-5-1102
,, P. N. Govinda Pillai	Nayar	15-2-1093
,, P. Anantapadmanabha Pillai	Do.	27-9-1103
,, N. M. Subrahmanya Aiyar	Other Brahmin	29-6-1088
,, S. Gopala Pillai	Vellala	1-7-1088
,, H. Kulathu Aiyar	Other Brahmin	4-12-1095
,, M. Sivasankara Pillai	Nayar	21-1-1083
,, K. I. Abraham	Reformed Syrian	9-10-1087
,, K. Govinda Pillai	Nayar	14-1094
,, N. Sivasankara Pillai	Do.	26-3-1102
,, R. Kochunanu Pillai	Do.	8-6-1096
,, Sreenivasaraghava Aiyangar	Other Brahmin	12-6-1101
,, U. S. Lekshmana Rao	Do.	20-4-1086
,, N. Velu Pillai	Nayar	10-8-1101
,, K. Madhavan Nayar	Do.	27-1-1103
,, P. K. Bhaskara Pillai	Do.	2-3-1092

Appendix II—(*contd.*)

COMPOUNDERS.

No.	Name.	Caste.	Date of commencement of appointment.
1	P. Narayanan	Kammala	1-3-1072
2	V. Govindan Pillai	Nayar	14-4-1072
3	J. Moreira	R. C. Latin	12-4-1076
4	R. Kochumony	Depressed Class	21-4-1076
5	C. L. Joseph	R. C. Syrian	12-9-1081
6	N. Nambi Naidu	Other caste Hindu	8-12-1081
7	J. Chinnian	R. C. Latin	28-10-1082
8	L. Vaikuntam Aiyar	Other Brahmin	1-1-1083
9	K. P. Itty	Reformed Syrian	1-1-1083
10	C. Kesava Pillai	Nayar	11-8-1083
11	R. N. Narayana Panikkar	Ezhava	8-12-1908
12	K. Sivarama Pillai	Nayar	1-2-1085
13	P. Perumal Pillai	Vellala	21-5-1085
14	N. Mahadeva Aiyar	Other Brahmin	2-8-1085
15	P. S. Narayana Marar	Nayar	1-5-1086
16	V. Visvanatha Aiyar	Other Brahmin	11-6-1086
17	T. Krishna Aiyangar	Do.	14-2-1087
18	S. Padmanabha Aiyar	Do.	15-4-1087
19	P. O. Kochukunju	Syrian Jacobite	1-8-1087
20	N. Narayana Pillai	Nayar	18-10-1087
21	T. Benjamin Ratnam	Protestant	4-1-1088
22	G. David	Do.	4-7-1088
23	Julia Moses	Do.	4-9-1088
24	Tangamma	Do.	9-9-1088
25	J. N. Benjamin	Do.	1-5-1088
26	K. Narayana Panikkar	Ezhava	24-9-1088
27	Victoria Paul	R. C. Latin	22-12-1089
28	L. Rudra Dass	Vellala	6-3-1089
29	N. Krishna Aiyar	Other Brahmin	11-3-1089
30	V. Venkitesvara Aiyar	Do.	15-3-1088

Appendix II—(*contd.*)

COMPOUNDERS—(*contd.*)

No.	Name.	Caste.	Date of commencement of appointment.
31	L. Johnson	Protestant	26-7-1089
32	T. N. Velu Pillai	Nayar	10 11-1089
33	J. Charles	Protestant	18-12-1089
34	S. Bennet	Do.	11-8-1090
35	D. Muthaiah	Do.	13-10-1090
36	H. Ramaiah	Other Brahmin	29-11-1090
37	L. James	Protestant	15-7-1091
38	T. M. Sankara Pillai	Nayar	15-1-1092
39	M. K. Kurien	Jacobite	15-1-1092
40	K. R. Sesha Aiyar	Other Brahmin	1-4-1092
41	K. K. Nilakanta Pillai	Nayar	12-1-1092
42	P. Thomas	Protestant	1-7-1092
43	K. Oommen	Reformed Syrian	16-3-1093
44	G. Paramesvaran Pillai	Nayar	11-4-1093
45	P. V. Varghese	Reformed Syrian	13-7-1094
46	M. V. Kesava Pillai	Nayar	6-9-1094
47	M. O. Nainan	R. C. Syrian rite	1-10-1094
48	S. Ganapati Aiyar	Other Brahmin	1-12-1095
49	K. S. Subrahmanya Sarma	Do.	10-2-1096
50	C. J. Viagappan	R. C. Latin rite	19-2-1096
51	A. T. Matthew	Reformed Syrian	3-5-1096
52	L. Kartyayani	Other depressed class	1-3-1098
53	P. N. Govinda Pillai	Nayar	Do.
54	K. Rama Panikkar	Ezhava	Do.
55	Muttukumara Pillai	Vellala	Do.
56	M. Samuel	Protestant	Do.
57	P. S. Appavu	Other depressed class	16-4-1098
58	R. Paramesvaran Pillai	Nayar	28-5-1098
59	M. Narayana Pillai	Do.	20-7-1098
60	C. N. Krishna Pillai	Do.	7-5-1099
61	K. Ramaswami Aiyar	Other Brahmin	19-9-1099
62	K. P. Nilakanta Pillai	Nayar	25-11-1099
63	P. N. Matthew	Reformed Syrian	5-2-1101
64	Agnes M. Alexander	R. C. Latin	13-4-1101
65	W. John	Protestant	5-8-1101
66	K. G. Zacharia	Reformed Syrian	16-10-1101
67	P. K. Raman Pillai	Nayar	1-2-1102
68	V. Chempakam Pillai	Vellala	2-2-1102

Appendix II—(*contd.*)

COMPOUNDERS—(*concld.*)

No.	Name.	Caste.	Date of commencement of appointment.
69	S. Kumaraswami Pillai	Do.	6-2-1102
70	K. G. Anna	Jacobite	1-3-1102
71	Martandavarman Pandalay	Other caste Hindu	14-4-1102
72	G. N. Padmanabha Pillai	Nayar	25-4-1102
73	K. Janaki	Depressed class	4-6-1102
74	K. Ibrahim Sahib	Muhammedan	18-8-1102
75	P. Kunjulakshmi	Depressed class	28-11-1102
76	E. Sankara Pillai	Nayar	1-1-1103
77	K. E. Joseph	Reformed Syrian	Do.
78	R. Kesava Pillai	Nayar	Do.
79	N. Vishnu Namputiri	Malayala Brahmin	16-4-1103
80	K. P. Krishna Pillai	Nayar	4-6-1103
81	A. K. Govinda Pillai	Do.	1-8-1103
82	Matthew Jacob	Reformed Syrian	11-8-1103
83	P. K. Gopala Pillai	Nayar	1-10-1103
84	T. K. Narayanan	Depressed class	4-12-1103
85	S. Lazarus	R. C. Latin rite	8-12-1103
86	S. Muttuperumal Pillai	Vellala	10-12-1103
87	S. Ratnam	Protestant	12-12-1103
88	M. Enos	Do.	19-12-1103
89	V. Anantan Vydian	Ezhava	22-12-1103
90	P. K. Kunjan	Do.	18-6-1104
91	A. Sankara Pillai	Vellala	16-8-1104
92	Y. Kunjan	Protestant	21-10-1104
93	K. Raghavan	Ezhava	10-11-1104
94	K. Raman Pillai	Nayar	24-4-1105
95	L. Rama Aiyar	Other Brahmin	28-12-1104
96	Muttukumara Pillai	Vellala	23-6-1105
97	Sankunni Pillai	Nayar	1-9-1105
98	Subrahmanya Pillai	Vellala	1-12-1105
99	M. Narayana Pillai	Do.	1-1-1106
100	P. O. Thomas	Protestant	5-4-1106
101	K. Madhavan Pillai	Nayar	12-4-1106
102	E. Sivanandi Chettiyar	Other Hindu	11-4-1106
103	T. R. Narayana Aiyar	Other Brahmin	21-11-1106
104	R. Kumaraperumal Pillai	Vellala	1-1-1107
105	Mrs. Cardoza	R. C. Latin	13-2-1107

Appendix II. *(contd.)*

PEONS.

No.	Name.	Station.	Caste.	Date of commencement of service.
1	Lekshmana Rao	Medical Board Office	Maharatta	11-9-1091
2	Krishnan	..	Nulaya	12-12-1094
3	K. Kuttan Nayar	..	Nayar	17-6-1101
4	V. Padmanabha Aiyar	..	Other Brahmin	1-1-1104
5	R. Nilakanta Pillai	..	Nayar	18-4 1104
6	M. Paramu Pillai	..	Do.	26-9-1106
7	N. Kesava Pillai	..	Do.	25-1-1105
8	N. Paramu Pillai	..	Do.	..
9	N. Chandarasekara Pillai	Bact. Laboratory	Do.	11-9-1085
10	A. Gramoni	Medical Stores	Protestant	15-4-1101
11	K. Krishna Pillai	General Hospital	Nayar	22-6-1104
12	N. Kuttan Pillai	..	Do.	22-6-1104
13	R. Paramesvaran Pillai	..	Do.	1-4-1105
14	N. Krishna Pillai	W and Ch. Hospital	Do.	25-3-1084
15	K. Kuttan Pillai	..	Do.	16-9-1076
16	M. K. Oommen	..	Syrian	10-7-1107
17	P. Japheth	Hospital for Chronic diseases	Protestant	10-3-1105
18	G. Narayanan	..	Nayar	11-9-1106
19	P. Velayuthan Pillai	Hospital for Lepers	Do.	1-11-1105
20	N. E. Sheik Ali	,, Mental Diseases	Muhammadan	17-5-1106
21	Peter	Ophthalmic Hospital	R. C. Latin	1-4-1094
22	T. Kumara Pillai	Fort Hospital	Nayar	1-4-1082
23	Madhavan Kuttan Pillai	Palace Dispensary	Do.	1-3-1101
24	N. Madhavan Pillai	Sreepadam Dispensary	Do	28-11-1105
25	P. K. Velayuthan Pillai	Valiaturai Dispensary	Do.	1-2-1102
26	Kesava Pillai	D. H. Alleppey	Do.	1-1-1073
27	M. C. Sankara Pillai	D. H. Alleppey	Do.	15-3-1106
28	Atchutan Pillai	D. H. Alwaye	Do.	1-12-1092
29	K. Krishna Pillai	D. H Arukutty	Do.	21-10-1102
30	V. Devasia	D. H. Changanachery	Syrian	25-1-1105
31	K. Madhavan Pillai	D. H. Chirayinkil	Nayar	7-7-1091
32	N. Kesava Pillai	D. H. Kanjirapalli	Do.	25-1-1105
33	Paramu Pillai	D. H. Kottayam	Do.	1-12-1088
34	P. V. Abraham	D. H. Kozhenchery	Mar Thoma	1-1-1091
35	K. J. Joseph	D. H. Lalam	R. C. Latin	1-6-1092
36	Nilakanta Pillai	D. H. Mavelikara	Nayar	12-1-1093
37	P. V. Paili	D. H. Muvattupuzha	Syrio Roman	15-8-1089
38	K. Raman Pillai	D. H. Neyyattinkara	Nayar	13-5-1077
39	E. Sivaraman Pillai	D. H. Nedumangad	Do.	1-1-1094
40	Ooly Velu	D. H. Nagercoil	Ezhava	7-3-1081
41	Kumaran Padmanabhan	D. H. Padmanabhapuram	Nayar	19-2-1089
42	T. Vedamanikkam	D. H. Parassalla	Protestant	18-8-1899
43	G. Sankara Pillai	D. H. Parur	Nayar	2-2-1096
44	Govindan Nayar	D. H. Quilon	Do	1-3-1096
45	S. Paramesvaran Pillai	Do.	Do.	1-7-1102
46	R. Paramesvaran Pillai	Do.	Do.	1-4-1105
47	K. Govindan	Do.	Ezhava	24-5-1102
48	Ouseph	D. H. Shertallai	R. C.	18-2-1077
49	Padmanabha Pillai	D. H. Shencotta	Nayar	14-3-1104

Appendix II—(concld.)

PEONS—(concld.)

No.	Name.	Station.	Caste.	Date of commencement of service.
50	V. G. Thomas	D. H. Tiruvalla	Jacobite	27-7-1106
51	I. Paramesvaran Pillai	D. H. Taikattusseri	Nayar	5-6-1098
52	Kunjan Govindan	D. H. Vaikam	Do.	1-7-1089
53	G. Daniel	D. D. Adur	Jacobite	21-9-1087
54	K. Paramesvaran Pillai	D. D. Arumana	Nayar	22-10-1106
55	Krishna Pillai	D. D. Ambalapuzha	Do.	12-5-1086
56	Pattom Chetty	D. D. Ayikudy	Chetty	12-12-1103
57	V. Paramesvaran Pillai	D. D. Bhuthapandy	Nayar	1-5-1102
58	V. P. Kesavan	D. D. Chavara	Tandan	4-2-1101
59	J. Varghese	D. D Chengannur	Jacobite	8-2-1088
60	R. Raman Pillai	D. D. Colachel	Nayar	2-5-1083
61	Isaac Thomas	D. D. Devicolam	Protestant	15-11-1106
62	E P. Raman Pillai	D. D. Ettumanur	Nayar	22-12-1103
63	K. J. Ouseph	D. D. Edathuva	Protestant	2-11-1106
64	K. Govinda Pillai	D. D. Haripad	Nayar	4-7-1104
65	P. Gopala Pillai	D. D. Kayankulam	Do.	14-1-1106
66	Vareed Greek	D. D. Kayankulam	R. C. Latin	15-11-1090
67	K. M. Mathai	D. D. Karunagapalli	Do.	18-9-1102
68	Sankaran Kutten	D. D. Kalvur	Arayan	22-8-1102
69	P. Subbaiyyan	D. D. Kottaram	Konar	12-3-1105
70	T. Varghese	D. D. Kottarakara	R. C. Latin	1-9-1089
71	P. Gopala Pillai	D. D. Konni	Nayar	28-11-1104
72	M. C. Sankara Pillai	D. D Kotamangalam	Do.	15-3-1106
73	Paili	D. D. Koottattukulam	R. C. Latin	22-11-1106
74	Mathai Kuria	D. D. Kumarakam	Jacobite	6-10-1094
75	Matthai Ulhanan	D. D. Kuravilangad	R. C. Syrian	1-5-1086
76	M. Velu Pillai	D. D. Kulasekharam	Nayar	8-10-1074
77	V. Devasia	D. D. Kumili	R. C. Syrian	8-11-1104
78	A. K. Krishna Pillai	D. D. Marayur	Nayar	1-10-1098
79	K. Narayana Pillai	D. D. Mallapalli	Do.	1-9-1084
80	P. Kesava Pillai	D. D. Mundakayam	Do.	10-3-1094
81	N. Sankara Pillai	D. D. Pathanamthitta	Nayar	1-1-1094
82	J. Chacko	D. D Pampadi	Jacobite	12-9-1103
83	I. Matevan Pillai	D. D. Pallode	Vellala	1-12-1087
84	Chacko Matthai	D D. Piravam	R. C. Syrian	15-12-1103
85	S. Paramesvaran Pillai	D. D. Perumkadavila	Nayar	4-5-1102
86	M. Ouseph	D. D. Peermade	Jacobite	1-4-1105
87	M. M. Paili	D. D. Perumbavur	Do.	6-9-1096
88	Anni Huzain	D. D. Punalur	Muhammadan	10-2-1082
89	M. Ramakrishna Pillai	D. D. Pulinkunnu	Nayar	10-12-1103
90	K. Velu Pillai	D. D. Ranni	Do.	15-1-1091
91	K. K. Nilakanta Pillai	D. D Ramapuram	Do.	1-12-1095
92	N. Madhavan Nayar	D. D. Todupuzha	Do.	8-6-1104
93	K. Paramesvara Kymal	D D. Tumpaman	Kaimal	1-5-1086
94	Sheik Mohideen Sabju	D. D. Vidurai	Muhammadan	16-8-1082
95	P. Paramesvaran Pillai	D. D. Warkalai	Nayar	1-2-1100
96	Kuttan Pillai	D. D. Udumbanchola	Do.	28-11-1104
97	V. Thomas	D. D. Vizhinjam	R. C.	19-12-1103

Appendix III.

***Vide* Answer to Question No. 230.**

Statement, by caste, of appointments made in the Water Works Division in 1105 and 1106.

Caste.	Post to which appointed.	No. appointed direct by the Division Officer.		No. appointed by the Chief Engineer on the recommendation of the Division Officer.		Total	Remarks.
		1105	1106	1105	1106		
1	2	3	4	5	6	7	8
Brahmin (Malayala)	..	..	..	..	..		
Brahmin (Others)	Overseer	..	..	1	..	.	
	Draftsman	..	..	1	..		
	Tracer	..	..	1	..		
	Clerk	3	2 (Acting)	1	..		
	Typist	..	1 (do.)	..	..	10	
Nadar	..	..	..	..	..		
Ezhava	Supervisor	..	..	1	..		
	Overseer	..	..	1	..		
	Clerk	1 plus 1 Acting	..	..	..		
	Peon	1	..	..	..	5	
Kammala	..	..	..	..	..		
Kshatriya	..	..	..	..	..		
Nayar	Overseer	..	..	1	..		
	Sub-Overseer	..	..	1	..		
	Draftsman	..	..	2	..		
	Clerk	..	..	1	..		
	Peons	8	2	..	..	15	
Pulaya	..	..	..	..	..	..	

Appendix III.—(*concld.*)

Caste.	Post to which appointed.	No. appointed direct by the Division Officer.		No. appointed by the Chief Engineer on the recommendation of the Division Officer.		Total.	Remarks.
		1105.	1106.	1105.	1106.		
1	2	3	4	5	6	7	8
Other depressed classes	..	..	..	..	..		
Vellala	Clerk	2 plus 1 Acting.	1 (Ag).	..	..		
	Supervisor	..	..	..	1	5	
Other Hindus (Pandaram)	Peon	2	1 at Kulti	..	..		
	Clerk	1	..	..	..	4	
Mussalman	Clerk	1	..	..	..	1	
Christians (Protestants)	Typist	..	..	1	..		
	Peon	..	1	..	..	2	
Do Roman Catholic A. Latin rite	Sub Overseer	..	..	1	..		
	Draftsman	..	..	1	..		
	Tracer	..	1	..	..	3	
B. Syriac rite	..	..	..	..	..	..	
Do. (Syrian Jacobite)	Hd. Draftsman	..	..	1	..	1	
Do. (Mar Thoma)	Clerk	1	..	..	..	1	
Church of England	..	..	..	..	..	..	
Other Christians	..	..	..	..	..	..	
Total		22	9	15	1	47	

N. B.—Incumbents holding substantive appointments, but transferred to temporary appointments in this Division have not been included in this statement.

ADJOURNMENT MOTION.

Mr. E. V. Krishna Pillai handed over to the President notice of a motion for the adjournment of the business of the House.

PRESIDENT: Mr. E. V. Krishna Pillai has put into my hands notice of a motion to adjourn the business of the House to discuss the same subject which formed the subject of a similar notice, of an adjournment motion, handed over to me on the first day of this sitting of the Council. I did not allow the motion then. And, I disallow this motion also on the same grounds.

LEGISLATION.

THE TRAVANCORE MUSLIM SUCCESSION BILL.

MR. P. S. MAHOMED (*Nominated*): Sir, I rise to move that the Muslim Succession Bill, as reported by the Select Committee, be taken up for consideration.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, I rise to a point of order. The member usually speaks in Malayalam. He is now addressing the House in English.

PRESIDENT: It is better, Mr. Mahomed, that you speak in either of the two languages.

MR. P. S. MAHOMED (*Nominated*): I was not making a speech. I was formally moving that the Bill be taken up for consideration. That is all. മുസ്ലിം സക്സഷൻ ബിൽ സെലക്ട് കമ്മററിയുടെ റിപ്പോർട്ടു ഞാൻ ഈ സഭമുമ്പാകെ ഹാജരാക്കുകയും കമ്മററി പുതുക്കി തയ്യാറാക്കീട്ടുള്ള ഈ ബിൽ സഭയുടെ പര്യാലോചനയ്ക്കു വിഷയീഭവിക്കണമെന്നു അഭിപ്രായപ്പെടുകയും ചെയ്തുകൊള്ളുന്നു.

MR. M. MAHOMED MUSTAPHA (*Commerce and Industry, South*): ഞാൻ ഈ അഭിപ്രായത്തെ പിൻതാങ്ങുന്നു.

PRESIDENT: May I take it that the motion is accepted?

The motion was carried.

Clauses 1 and 2.

PRESIDENT: As no notices of amendments to Clauses 1 and 2 of the Bill as revised by the Select Committee have been given, the question is that the clauses 1 and 2 do stand part of the Bill.

The motion was carried and the clauses were added to the Bill.

Clause 3.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I request that I may be permitted to move an amendment. I have not given notice of it. But, it is only a simple matter, a mere verbal change.

The expression "*in the order of Mahomedan Law*" does not sound well. Evidently, the object of the mover of the Bill is that it should be "*in the order laid down by the rules of Mahomedan Law*" The clause as amended according to my present amendment would read thus:

> "Such property shall..........according to and in the order laid down by the rules of Mahomedan Law".

The meaning remains the same. My object is to improve the language of the provision.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): I would suggest that the expression "*and in the order laid down by*" may be omitted, because the expression "*according to the rules of Mahomedan law*" would indicate the order prescribed by Mahomedan law.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I also thought of it; but on further consideration I decided that the expression "*and in the order laid down by*" may be retained with advantage. Because, in the absence of those words, if the provision merely says "......shall devolve upon the heirs *according to the rules of Mahomedan law*" it might be interpreted to mean that the property should devolve on the heirs according to the present law and that the order alone, among them, need be according to Mahomedan law. It is to avoid that interpretation being put upon it, to make it quite clear, to avoid ambiguity, that I decided that that expression might be allowed to remain. It only makes the provision more specific and clear.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I second it.

MR. P. S. MAHOMED (*Nominated*): I accept the amendment.

PRESIDENT: The question is that clause 3, as amended, do form part of the Bill.

The motion was carried and the clause was added to the Bill.

The question that the Preamble to the Bill do form part of the Bill was then put and carried.

The Preamble was added to the Bill.

MR. P. S. MAHOMED (*Nominated*): ഇപ്പോൾ വരുത്തിയിട്ടുള്ള ഭേദഗതിസഹിതം ഈ ബിൽ ഇനിയൊരുയോഗത്തിൽ പാസാക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. MAHOMED MUSTAPHA (*Commerce and Industry, South*): ഞാൻ ഈ അഭിപ്രായത്തെ പിൻതാങ്ങുന്നു.

The motion was carried.

THE TRAVANCORE NAYAR REGULATION AMENDMENT BILL.

The following motion was not moved by Mr. K. Madhavan Pillai:

To introduce the Travancore Nayar Regulation Amendment Bill.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

RESOLUTION *re* REMISSION OF LAND TAX—(*contd.*)

PRESIDENT: The next business on the agenda for to-day is the resolution by Mr. A. S. Damodaran Asan to the effect that:

"This Council recommends to the Government that, in view of the present economic depression, 50 per cent. of the land revenue for 1107 be remitted".

This House has partly discussed this resolution at its last meeting and it is now open for discussion by those members who have not already spoken on it.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Sir, several members have spoken on this subject at the last meeting of the Council. I want the members to consider how serious this resolution is and what drastic effects it would have if it is carried through. The resolution is to the effect that 50 per cent. of the land revenue for 1107 should practically be abandoned. This amounts to about nineteen lakhs of rupees. As we all know, at present, we are passing through a very difficult time of economic depression; and it is up to every one of us and to every one in the country to come to the help of Government and to do everything we can to help them through in this crisis. We must all look upon the Travancore State as a *tarwad* with the Government as its *karanavan*.

MR. A. THANU PILLAI (*Trivandrum*): Who are the officers in that *tarwad*?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): They are all different members of the *tarwad*, adopted and otherwise.

Sir, in a *tarwad*, when there are difficult times, all the members join together and help the *tarwad* through. I think it is the duty of everybody to put the country first and to come to the help of Government in difficult times like this.

Government are fully aware and are in full sympathy with the people in their difficulties. But, at the same time, it has to be realised that 42 per cent. of the people pay a land revenue of only a rupee and less.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): But how many of the people pay land revenue?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I do not think that question arises in connection with the resolution now before us. I have not got the total number of *pattadars* in the State, now before me.

Sir, tax amounting to less than a rupee or even a rupee cannot be considered to be very heavy. And, the Government, here, have done all they can—much more than any other Government (I say that boldly)—for the good of the people. They have managed to avoid any new tax to meet the deficit due to the economic depression. In the case of those who paid their Medam *kist* of 1106 before the end of the year, no demand notice fees were to be recovered. The Tahsildars gave extension of time for the payment of *kist* till the end of the year in deserving cases.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): When was that order issued, and for how many days was it in force?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It was issued in 1931; I am not sure of the date.

And then, Government postponed, until further orders, the realisation of land tax by taking coercive steps. They reduced the tax

on rubber lands from Rs. 2 to Re. 1 per acre in all cases in which the tax was leviable at the former rate. They granted extension of time, in deserving cases, for the repayment of agricultural loans. They also granted similar extension of time for the repayment of *taravila*. They reduced the license fees on all small *vallams* in order to help the poor fishermen. They reduced the tariff values on several articles, mostly the products of the cocoanut palm. They started a Land Mortgage Bank in order to help the people through these difficult times.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know whether any amount has been advanced till now by that Bank?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I am not in the Bank.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know anything about it?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know whether the establishment of that Bank has done any good to the people till now?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): As I said I am not in the Bank.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member in a position to tell us what advantage the people have derived from it so far?

MR. S. C H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The people have been agitating for it; and it has been started with Government help. It is hoped that it would be of great help to the people.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has any money been advanced by the Bank so far?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I know nothing about it. Perhaps, the member knows more about it than I.

MR. S. KRISHNA PILLAI (*Karunagapalli*): So, really, it is not a boon to the people, so to speak?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): That is a matter of opinion. The member does not consider it a boon. It may be a real boon to others.

Therefore, Sir, Government have done all they practically can; and, as I said, they have done more than any other Government in this time of great economic distress.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Has the member compared the relief measures adopted here with those adopted by other Governments?

Mr. S. C. H. Robinson (*Land Revenue and Income Tax Commissioner*): Other Governments have practically done nothing, I know. I should be glad to hear of it from the members. I challenged the House on another occasion on this matter, but could not get an answer then.

Mr. A. S. Damodaran Asan (*Mavelikara* cum *Kartikapalli*): Is the member aware that the Government of the United Provinces have remitted a portion of the tax?

Mr. S. C. H. Robinson (*Land Revenue and Income Tax Commissioner*): I am not aware of that.

Sir, as I have already pointed out, if this drastic resolution is carried, it would mean that the Government would have to abandon nineteen lakhs of rupees. It has been pointed out by the Chief Secretary on the last occasion that there is a deficit of about fifteen or twenty lakhs of rupees; and if this resolution were to add another nineteen lakhs it would make the State *tarwad* absolutely helpless. It has also to be borne in mind that, out of the land revenue, we have to pay sixteen lakhs of rupees to the Devaswom fund. There is therefore very little left to carry on the Administration. I may also draw the attention of the House to the fact that land revenue is the one stable income that any Government can depend upon; and, if you are going to cut that away, you are, I daresay, going to ruin Travancore. You are going to make it extremely difficult for the Government to carry on the Administration. Every day, in this Council and in the Assembly, the people are clamouring for more works of public utility. Even to-day there is the resolution for providing elevated places in the Kuttanad area. Several of the important works which the Government proposed to carry out for the good of the people would have to be dropped if this resolution is carried.

Mr. K. Madhavan Pillai (*Trivandrum* cum *Neduvangad*): What is the total amount, granted year after year, under seasonal remissions?

Mr. S. C. H. Robinson (*Land Revenue and Income Tax Commissioner*): I have not got the figures with me now.

I may also draw the attention of the House to the fact that the prices of agricultural products have not gone below the prices which obtained at the time of the last Settlement when the present rates of assessment were fixed with reference to the prices. We also now find that the prices *are* really going up, for instance, the prices of cocoanut products. So, times are really becoming better.

Mr. N. K. Krishna Pillai (*Neyyattinkara*): Has not the standard of life of the people increased since the last Settlement?

Mr. S. C. H. Robinson (*Land Revenue and Income Tax Commissioner*): The people should adjust their standard of living to the economic condition of the times.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member willing to accept the resolution if the percentage of remission is reduced to twenty-five?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I cannot understand anybody suggesting any reduction in a matter so vitally affecting the interests of the people at large.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member agree to the *principle*, underlying the resolution, at least?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): No, I cannot.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member agreeable to a reduction of at least one per cent.?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): That is not the resolution.

I am now speaking on the resolution before the House. Sir, the Government have done all they can to help the people. They have given an extra amount this year for loans. They have given Rs. $3\frac{1}{2}$ lakhs under ordinary loans, and also another lakh specially to the *Kuttanad* ryots.

MR. A. S. DAMODARAN ASAN (*Marelikara* cum *Kartikapalli*): When is the loan to the *Kuttanad* ryots to be repaid? In other words, what is the time granted to them?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The loans have to be repaid only by the end of this year.

Rs. 82,000, out of this one lakh of rupees, has already been disbursed.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): What has become of the balance?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): My figures are up to the end of six months. I presume a good portion of the balance would also have been disbursed since; because, several of the Tahsildars are now applying for additional grants under ordinary and special loans.

On the last occasion, the question was raised about the tom-tom charges. I may say that the Government are not at all satisfied with the present position in regard to these tom-tom charges; and the matter is being looked into. We will see if it cannot be reduced to the same rate as that paid by the High Court. We do not know how the present rates were fixed originally. Government have absolutely no idea of making any profit in the matter. The matter will be gone into and what is possible will be done.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Are the Government willing to make a complete remission of at least one year's demand notice fees?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I cannot say that off-hand. The member can put in his request; and, as I said, Government are very sympathetic in the matter and will do all that can be done in these days of economic depression. But, I may draw the attention of the member to one important aspect of the matter, namely, that these demand notices are issued only to defaulters who cause extra work by their default.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The member said that for the latter half of 1106, the demand notice fee was remitted. I wish to know whether the Government have issued orders to the Peishkars that the amounts collected for that period might be remitted by adjusting them towards the tax due for this year?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): If I remember right, there *are* orders to that effect.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): When was that order issued?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have not got the number and date of the G. O. I may inform the member that it was issued towards the close of the last year. Unfortunately, I have not got the number and date of the G. O.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I inform the member that, on the ground that no such order has been issued, they are trying to realise demand notice fees, not realised last year, as old arrears?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): On a point of order, Sir. Questions are generally asked for getting information. Can a Question be asked for *giving* information. That is what the member now seeks to do.

PRESIDENT: Ordinarily, questions should be asked only to get information.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): If any specific instance is brought to my notice, I shall enquire into it.

MR. P. VISVANATHA AIYAR (*Ig. Secretary to Government*): I may inform the House, Sir, that, on a reference by the Quilon Dewan Peishkar, Government have recently repeated the instructions in the matter.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Sir, I think I have clearly shown the House that the Government have done all that they possibly could have done and much more than any other Government, to help the people in this time of economic depression. If the House passes this resolution, and if it is given effect to, it would put not only the Government into a very difficult position, but all this extra allotment that has been asked for by the people is not likely to be granted. It will be impossible for the Government to do it. I therefore hope that, in the circumstances, the member will withdraw his resolution.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Does the member think that the present Remission Rules are satisfactory?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have not had time to consider the matter. If the member will put forth any suggestion to improve the Rules, we would be glad to consider them.

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): സർ, ദാമോദരൻ ആശാൻ അവർകളുടെ പ്രമേയത്തെ ചില വ്യത്യസ്തതയോടുകൂടി ഞാൻ അനുകൂലിക്കുന്നു. നാട്ടിലുണ്ടായിട്ടുള്ള സാമ്പത്തികാധഃപതനത്തിൽ ഗവൺമെൻറിൻെറ ശ്രദ്ധ വേണ്ടുംവണ്ണം പതിഞ്ഞിട്ടില്ലെന്നും, അതിലേയ്ക്കു വേണ്ട പരിഹാരങ്ങൾ ഗവൺമെൻറു ചെയ്തു കൊടുത്തിട്ടില്ലെന്നും ഉള്ള അഭിപ്രായക്കാരനാണ് ഞാൻ. സാമ്പത്തികാധഃപതനംകൊണ്ട് ജനങ്ങൾക്ക നേരിട്ടിരിക്കുന്ന കഷ്ടനഷ്ടങ്ങളെപ്പററിയും കൃഷിവായ്പ ലഭിക്കുന്നതിൽ ജനങ്ങൾക്കുള്ള പ്രയാസങ്ങളെപ്പററിയും, എന്നുവേണ്ട ഇങ്ങനെ അനേകം സംഗതികളിൽ ജനങ്ങൾക്ക നേരിട്ടിരിക്കുന്ന കഷ്ടനഷ്ടങ്ങളെപ്പററിയും ഗവൺമെൻറിനെ അറിയിക്കാനിടയായിട്ടുണ്ട്. ഇതിനൊക്കെയും പരിഹാരമുണ്ടാക്കാനായി ഒരു സാമ്പത്തികാധഃപ്പതനക്കമ്മിററി ഏർപ്പെടുത്തി. ചുരുക്കം പറയുകയാണെങ്കിൽ ആ കമ്മിററിക്ക് 'അധഃപതനക്കമ്മിററി' എന്ന പേരുകൊടുക്കുന്നപക്ഷം അതു വളരെ അന്വർത്ഥമായിരിക്കുമെന്ന പ്രകാരത്തിലാണ് ഈ കമ്മിററി ഇരിക്കുന്നതു്. ആ കമ്മിററി എന്തു ചെയ്തു, അതുകൊണ്ടു ജനങ്ങൾക്ക് എത്രത്തോളം പ്രയോജനമുണ്ടായി, എന്നു ജനങ്ങൾക്കറിയാൻ ഇതുവരെ സൌകര്യമുണ്ടായിട്ടില്ല. ലോകത്തിൻെറ ഗതി മറെറാരു വിധത്തിൽ മാറുമ്പോൾ ഈ കമ്മിററിയുടെ ഗതി നാട്ടിലുള്ളവക്ക മനസ്സിലാകത്തക്കവണ്ണമെങ്കിലും ഇടവരുമൊ എന്നു സംശയിക്കത്തക്കവണ്ണം അതിൻെറ ഗതി അത്ര മന്ദമായിട്ടുണ്ടു്.

ഒരെ ഇനത്തിൽ ഗവൺമെൻറിനു വരുത്തുന്ന നഷ്ടം ശരിയായിരിക്കുമോ എന്നു ഞാൻ സംശയിക്കുന്നു. എന്നാൽ ജനങ്ങളുടെ ബുദ്ധിമുട്ടിനു ഒരു നിവാരണം ഉണ്ടാകേണ്ടതുമാണ്. അതുകൊണ്ടാണ് ഞാൻ ചില വ്യത്യസ്തതയോടുകൂടി ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്നു എന്നു പറഞ്ഞതു്. ജനങ്ങൾക്കും ഗവൺമെൻറിനും വലിയ പ്രയാസംകൂടാതെയുള്ള രീതിയിൽ പല പദ്ധതികളും ആലോചിച്ചാൽ ഉണ്ടാകും. കമ്മിററിയുടെ റിപ്പോർട്ടിൽ അതൊക്കെ പറഞ്ഞിട്ടുണ്ടെന്നാണ് ഞാൻ വിചാരിക്കുന്നതു്. പ്രമേയത്തിൽ പറയുന്ന സംഗതികൾ അനുവദിക്കുന്നപക്ഷം ഗവൺമെൻറുവരവിൽ ശരിയായ കണക്ക ഞാൻ കൂട്ടിയിട്ടില്ലെ

[Mr. K. I. Kocheeppan Mappillai.]

ങ്കിലും) ഉദ്ദേശം പത്തുലക്ഷം രൂപായുടെ കുറവുണ്ടാകുമെന്നു ഞാൻ ഊഹിക്കുന്നു. ഇങ്ങനെ ഒരിനത്തിൽ വലുതായ കുറവുവരുത്തുന്നതു ഗവണ്മെൻറിനു ക്ഷേമമായിരിക്കയില്ല. ഗവണ്മെൻറു എന്നു വച്ചാൽ ജനങ്ങളുടെ രക്ഷയ്ക്കുപയോഗപ്പെടുന്ന ഒരു സ്ഥാപനമാണെന്നുവേണം വിചാരിക്കാൻ. ഗവണ്മെൻറിനു ഈ വിധത്തിൽ ദുർവ്വഹമായ രീതിയിൽ വരുന്ന നഷ്ടം ജനങ്ങൾക്കും ആപൽക്കരമായിരിക്കുമെന്നു വിചാരിക്കുന്നതിൽ വലിയ അബദ്ധമില്ല. ഈ വിധത്തിലുള്ള കുറവു വരുത്തുന്നതിനെ പ്രതികൂലിച്ചും തിരുവിതാംകൂറിലെ ജനങ്ങൾക്കു സാമ്പത്തികാധഃപ്പതനം നിമിത്തം വന്നിരിക്കുന്ന പല കഷ്ടതകൾക്കും മററുവിധേന പരിഹാരമുണ്ടാക്കേണ്ടതാണെന്നു അഭിപ്രായപ്പെട്ടുകൊണ്ടും ഞാൻ ഈ പ്രമേയത്തിൻെറ മൂലതത്വത്തോടു യോജിക്കുന്നു.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): മെമ്പർ ഒരു ഭേദഗതി ഹാജരാക്കുകയായിരുന്നുവൊ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) ഞാൻ എൻെറ അഭിപ്രായം പറയുകയായിരുന്നു.

RAO BAHADUR A. VENKATARAMA AIYAR (*Nominated, Deputy President*): Sir, the resolution before the Council is to recommend the reduction of a moiety of the land revenue of this State. All seem to be agreed that there is acute economic depression in the State; and I think even the spokesman of Government admitted that. The Chief Secretary to Government, who spoke on the last occasion and also Mr. Robinson have admitted that.

As Mr. Robinson put it, Government must be taken to be the *karanavan* of a *tarwad*, the *tarwad*, being the State of Travancore. The people of Travancore are the members of the *tarwad*. It is well known that the duties of the *tarwad* are to look to the interests of the *tarwad*. The question that the House has to decide now is whether the recommendation contained in the resolution would be to the benefit of the *tarwad*.

Now, so far as land revenue in Travancore is concerned, there are lands which were settled at the time of the Settlement, and there are also other lands which have since been brought under cultivation. The rate of assessment is therefore, not uniform.

Further, we are now in the middle of the year and a good portion of the tax has already been paid. How the persons, who have already paid the tax due for the current year, are to be affected, has also to be considered.

It has also to be borne in mind that, on account of the fall in the prices of agricultural products, a pretty large slice out of the produce

from the land, has, in most cases, to be shelled out for the payment of tax; and in some cases the income from the land is hardly sufficient for the full payment of land tax.

Under these circumstances, I do not think I can agree to the proposal contained in the resolution in its present form. What I would suggest to Government is to revise the Remission Rules and to lay down that only two forms of remission would be allowed, one seasonal and the other non-seasonal.

So far as seasonal remissions are concerned, they are confined to particular taluks alone. They are based upon either the withering away of the crops for want of rain, or the non-cultivation of land for similar reasons, or a change in the form of cultivation, as, for instance, raising dry crops in wet lands. These are the three cases where seasonal remission could be allowed. There are also non-seasonal remissions. The amount of remissions that has been allowed in recent years is high. That is what I find from the latest *Administration Report*. A reduction of Rs. 79,000 cannot be said to be insignificant. All the same, I think the Rules have to be revised. Till then, independently of the Rules, individual applications for remission may also be considered by Government and liberal orders issued to the Revenue Department to see that, in really hard cases, remissions *are* allowed and the distress felt by the ryots relieved as much as possible. I think that would be the only way to relieve them. With this suggestion, I say that I am not for accepting the resolution in its present form.

MR. N. JOHN JOSEPH (*Nominated*): സർ, പത്തൊൻപതു ലക്ഷത്തിൽപരം രൂപാ ഒരെ ഇനത്തിൽതന്നെ കുറവുവരുന്ന ഈ പ്രമേയത്തെ പെട്ടെന്നു അനുകൂലിക്കുന്നതു ന്യായമായിരിക്കുമെന്നു എനിക്കു തോന്നുന്നില്ല. ധാരാളം കരം ഒടുക്കുള്ളവരാണ് കരംകൊടുക്കാൻ നിവൃത്തിയില്ല, ഒരു ഭാഗം ഇളച്ചുതരണം എന്നു ആവശ്യപ്പെടുന്നതു്. അധഃകൃതരുടെ കഥ നോക്കുകയാണെങ്കിൽ അവർക്കു ഭൂമിയുമില്ല, കരവുമില്ല. ആ കാരണത്താലാണ് ഞാൻ ഈ പ്രമേയത്തെ അനുകൂലിക്കാതിരിക്കുന്നതെന്ന് ആരും വിചാരിക്കയില്ലെന്നു ഞാൻ വിശ്വസിക്കുന്നു. ധനവാന്മാർക്കു ഭൂമി ധാരാളമായി പതിച്ചുകൊടുത്തിട്ടുണ്ടു്. അതുകൊണ്ടാണു കരംകൊടുക്കാൻ അവർക്കു പ്രയാസം നേരിടുന്നതു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഗവർമെന്റിനു ഈ സംഖ്യ കിട്ടുന്നതുകൊണ്ടു് അധഃകൃതർക്കു എങ്ങിനെ ലാഭമുണ്ടാകും?

MR. N. JOHN JOSEPH (*Nominated*): ഈ ഭൂമി മററുള്ളവർക്കുകൂടി കിട്ടത്തക്കവണ്ണം വേണ്ട ഏർപ്പാടുചെയ്താൽ അധഃകൃതർക്കും ഭൂമി ലഭിക്കുന്നതിനിടയാവുകയും ഈ വലിയ നികുതിഭാരം ധനവാന്മാരിൽനിന്നു കുറെ

[Mr. N. John Joseph.]

നീങ്ങുകയും ചെയ്യുമെന്നുള്ളതാണ്. ധനവാന്മാരുടെ കൈവശമുള്ള ഭൂമിമുഴുവൻ കൃഷിചെയ്യുകയാണെങ്കിൽ ധാരാളം ആദായം കിട്ടും. ഗവണ്മെന്റിനു ചെല്ലേണ്ട നികുതി കൊടുക്കുന്നതിനു വിഷമവുമില്ല. ഈ ഒരു കാരണംകൊണ്ടുതന്നെ കരം ഇളച്ചുതരണമെന്നു ആവശ്യപ്പെടുന്നവർക്ക് ഇളച്ചുകൊടുക്കരുതെന്നാണ് എന്റെ അഭിപ്രായം. മിസ്റ്റർ കൊച്ചീപ്പൻ മാപ്പിള പറഞ്ഞ പ്രകാരം ഒരേ ഇനത്തിൽ നിന്നുംതന്നെ ഇത്രയും ഭീമമായ ഒരു സംഖ്യ കുറയ്ക്കുന്നപക്ഷം ഗവണ്മെന്റു നടത്തേണ്ട മററുസംഗതികൾക്കു ഒരുടവുതട്ടാനിടയുണ്ട്. ധനദൌർല്ലഭ്യംനിമിത്തം കഷ്ടപ്പെടുന്ന ഇക്കാലത്തു രാജ്യത്തു പ്രധാനമായ പല സംഗതികളും ഗവണ്മെന്റു ചെയ്യേണ്ടതായിട്ടുണ്ടു. ധനമുണ്ടാക്കാൻ പല മാർഗ്ഗങ്ങളും ഗവണ്മെന്റു അന്വേഷിക്കുന്നുണ്ടെങ്കിലും അതൊന്നും പററിയ മാർഗ്ഗമല്ല. ഏതായാലും ഞാൻ പറഞ്ഞ കാരണത്താൽ ഈ പ്രമേയത്തെ എനിക്കു അനുകൂലിക്കുവാൻ നിവൃത്തിയില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): അധഃകൃതർക്കു അല്പമെങ്കിലും ഭൂമിപതിച്ചു കിട്ടിയിട്ടുണ്ടോ?

MR. N. JOHN JOSEPH (*Nominated*): അല്പമുണ്ടു എങ്കിലും കരംകൊടുക്കാൻ നിവൃത്തിയില്ലാത്ത നിലയിലില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): കുറച്ചെങ്കിലുംകരമുണ്ടോ

MR. N. JOHN JOSEPH (*Nominated*): ഉണ്ട്.

MR. S. KRISHNA PILLAI (*Karunagapalli*): അവർക്കുകരം കൊടുക്കാൻ നിവൃത്തിയുണ്ടോ?

MR. N. JOHN JOSEPH (*Nominated*): കൃഷി ചെയ്യുവർക്കു കരംകൊടുക്കാൻ പ്രയാസമില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): അപ്പോൾ അധഃകൃതരെ സംബന്ധിച്ചിടത്തോളം കരക്കുറവു ആവശ്യമില്ലെന്നാണോ മെമ്പർ പറയുന്നതു്?

MR. N. JOHN JOSEPH (*Nominated*): അങ്ങിനെ തന്നെയാണ് എന്റെ അഭിപ്രായം.

MR. A. THANU PILLAI (*Trivandrum*). Sir, Mr. Robinson told us that the Travancore State is a *tarwad* and that all the members of the *tarwad* should help the *karanavan* in managing it. All that, we see fully well. But when the *anantaravans*, or the members of the *tarwad*, are in great distress, we expect the *karanavan* also to sympathetically listen to them when they approach him and tell him

"*Ammava*, (Uncle—we call him *ammavan*) we used to give you certain measures of paddy and certain sums of money every year in the past. This time it is not possible for us to give you the full amount of money and the full measure of paddy. You must make a reduction", and not to tell them when they ask the *karanavan* to reduce 50 per cent., "No, you cannot ask for that. I will not grant you *any* reduction." I expect the *karanavan*, if he is really sympathetic, to consider their grievances and to say, "Well, I do not see my way to reduce 50 per cent. as you want me to do; but I shall reduce a smaller percentage. Let me think about it and see what can be done." That attitude I can understand on the part of a *karanavan*. He should not take advantage of what may be termed a technical defect due to the wording of the resolution, due to the high demand it makes. That is not what a good *karanavan* should do; but that is what Mr. Robinson says the Government would do now. That is hard and unfair.

Sir, I am a member of the Retrenchment Committee and I have heard a good deal of complaint about the tardy way in which the committee is doing its business. That is due to many causes. It is constituted of officials and non-officials. Officials have their other business, and non-officials too have their own other business. I may say, that the delay in the completion of the work is due more largely to the official element in the committee. I do not blame them. I know they have a good deal of other important work to do in the same manner as non-officials have. But due to their other work very often it may be a session of the Popular Assembly or a meeting of the Legislative Council—the work of the committee is being delayed to some extent. The members of the committee also regret the delay. We are trying our best to finish our work soon. Being a member of the committee myself, I have my own difficulties to take a definite stand in regard to this question. I know there *are* difficulties so far as the Government are concerned. But I cannot listen to Government when they tell us, "You see, we are short of money. How shall we carry on the Administration if we listen to you and grant your requsest." For that, I must tell them, "Well, you spend our money mostly in ways *you* like. You do not consult us in every matter involving expenditure." In regard to a good portion of the expenditure that Government incur, I know they have absolutely no right to claim that the expenditure *has* to be incurred and cannot be avoided. Under such circumstances, the argument that the Government are short of money cannot hold water. That is not an answer to the demand now made from this side of the House. Until the system of Government is completely changed, that plea cannot be accepted as satisfactory. Even in regard to the Retrenchment Committee, it is not every item of expenditure that is referred to the committee. There *are* several matters which are beyond the purview of the committee and many of such matters will admit of retrenchment. In these circumstances, Government cannot tell us that we must see eye to eye with them, realise their financial difficulties, and not ask for remissions. The fact that they have constituted a committee for retrenchment, or

[Mr. A. Thanu Pillai.]

the fact that their revenues are falling will not be a full answer to the demand now raised by my friend, Mr Asan. I fully realise the situation. Government are also in difficulties. But they ought to see that all unnecessary items of expenditure are done away with. They should not incur unnecessary additional expenditure. To our great regret, we find, Sir, that, even in these hard times, when we have a Retrenchment Committee to suggest the reduction of pay, reduction in the number of appointments, and reduction even in the allotment for the P. W. Department, Government, from the other side, are incurring unnecessary additional expenditure. That is a matter which the Government have to bear in mind. If the Government do everything in a way satisfactory to the people, I am sure the reasonable section among the people, the bettter section of the people, would always stand by their side. But we find that a lot of expenditure *is* even now being incurred by Government on what we consider to be absolutely unnecessary, matters which, at all events, can afford to *wait* for better days. Under these circumstances, Mr. Robinson has not done well in saying that no relief could be given to the poor ryot.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : May I correct the member ? I did not say that Government are *not* prepared to relieve the ryot. I said that they were doing *all* that they can.

MR. A. THANU PILLAI (*Trivandrum*) This is not the first time, Sir, I hear that answer. Whenever we say that Government ought to do something in some particular direction, they say that everything possible *is* being done in that particular direction. But Mr. Robinson has clearly stated that he cannot listen to Mr. Asan when he suggests the remission of 50 per cent. He is not prepared for *any* reduction at all ; nor is he prepared to state what reduction Government are prepared to make. From the point of view of a Government official representing Government as he does, probably Mr. Robinson has done his very best. But from *our* point of view, I may say that his reply is not satisfactory at all.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Does the member suggest that because the Government are not behaving properly the revenue should be remitted ?

MR. A. THANU PILLAI (*Trivandrum*) : Sir, I should have been expressing my ideas very poorly indeed if I really have given room for that interpretation being put upon my words by any reasonable gentleman. I do not think my statements could lead to that inference. There may be economic difficulties so far as Government are concerned. But there *are* difficulties also so far as the *people* are concerned. My complaint is that the Government are not spending money in the proper direction. They are incurring unnecessary and uncalled-for expenditure. That is why the answer from Government does not come with good grace. The statement that they cannot think of making *any* remission whatsoever does not at all sound well.

MR. M. GOVINDAN (*Nominated*): May I know what is the avoidable expenditure that the Government are now incurring?

MR. A. THANU PILLAI (*Trivandrum*): If I am permitted to answer that question, Sir, I am sure I can very well convince this House—or any other House, for that matter, composed of reasonable men—that the Government are incurring unnecessary and unreasonable expenditure on matters which can very well wait, which we can do without. May I answer that question, Sir?

PRESIDENT: No.

MR. A. THANU PILLAI (*Trivandrum*): Sir, coming to my point, merely to say that they have appointed a Retrenchment Committee and have done this and that, does not count much in answer to the very reasonable demand that has now been made. Then, Sir, the further questions that have to be considered are, whether this 50 per cent. reduction is reasonable or not, and whether this is exactly the demand the representatives of the people should make to relieve the people. Sir, Mr. Robinson is responsible to Government for the collection of income-tax as much as he is for the collection of land revenue. In the case of people who are paying income-tax, because their incomes are low now, they are asked to pay only reduced tax now. In the case of agriculturists, a man who made 300 rupees two years ago and paid a certain sum as tax has to pay the *same* tax even now though the income is much less.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): May I know from the member whether any agriculturist has ever paid additional tax to Government in proportion to the increase in yield?

MR. A. THANU PILLAI (*Trivandrum*): Sir, the member must realise that we are now dealing with abnormal conditions.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): May I draw the attention of the member to the present tariff rates?

MR. A. THANU PILLAI (*Trivandrum*): I will come to that. I think I have to explain first the unsound view Mr. Robinson takes of the matter, before I come to the question of tariff rates. Sir, Mr. Robinson must bear in mind that the land tax has been fixed with reference to the yield. It may vary with seasonal conditions. If an agriculturist gets ten *paras* more in one year, he may get ten *paras* less next year. All that has not to be taken into account.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): May I inform the member that the price of the food-stuffs—cocoanut, paddy, etc.,—are now very much better than they were at the time of the Settlement.

MR. A. THANU PILLAI (*Trivandrum*): But, are not the various items of expenditure which the agriculturist has to incur very much more now than before? If prices have gone up, has not the cost of labour also gone up? Has not the price of manure also gone up?

[Mr. A. Thanu Pillai].

I am sure the Director of Agriculture will bear me out in my statement. I strongly support the principle of the resolution. The ryots *do* stand in need of help. Last year, Government said that compulsory sales of land for arrears of tax would be stopped till the end of the year but I know that sales *did* take place even after that statement was made by Government and before the end of the year.

PRESIDENT : Your time is up, Mr. Thanu Pillai.

MR. P. S. MAHOMED (*Nominated*): സർ, സാമ്പത്തികാധഃപ്പതനം കൊണ്ടു ജനങ്ങൾ കഷ്ടപ്പെടുന്നുണ്ടെന്നുള്ള സംഗതിയിൽ ആൎക്കും തന്നെ അഭിപ്രായ വ്യത്യാസത്തിനവകാശമില്ല. ജനങ്ങൾക്കു എന്തെങ്കിലും ഒരു സഹായം ചെയ്തു കൊടുക്കേണ്ടതു ഗവൺമെൻറിൻെറ കടമയുമാണ്. മി. താണുപിള്ള പ്രസംഗാവസാനത്തു മി. ദാമോദരനാശാൻെറ പ്രമേയതത്വത്തെ പിൻതാങ്ങുന്നു എന്നു പറഞ്ഞതിൽ ധാരാളം അൎത്ഥം അടങ്ങിയിട്ടുണ്ടെന്നാണു എൻെറ വിശ്വാസം. പരമാൎത്ഥത്തിൽ പ്രമേയത്തിലടങ്ങിയിട്ടുള്ള തത്വം നല്ലതുതന്നെയാണ്. എന്തെങ്കിലും ഒരു സഹായം ഭൂനികുതിയിനത്തിൽ ജനങ്ങൾക്കു ചെയ്തു കൊടുക്കേണ്ടതായിട്ടുണ്ടു്. എന്നാൽ മി. ആശാൻെറ അഭിപ്രായ പ്രകാരമുള്ള ഒരു സംഖ്യ കുറച്ചു കൊടുക്കുക എന്നുള്ളതു പ്രായോഗികമല്ല എന്നുള്ള ഒരഭിപ്രായം മി. താണുപിള്ളയുടെ ഹൃദയത്തിൽ ഉണ്ടായിരുന്നതു കൊണ്ടാണു പ്രമേയത്തെ അതേരൂപത്തിൽ പിൻതാങ്ങാതെ അതിൻെറ തത്വത്തെ മാത്രം മി. താണുപിള്ള ആദരിച്ചതു് എന്നു ഞാൻ വിചാരിക്കുന്നു. ഈ പ്രമേയത്തെ ഇതേരൂപത്തിൽ അനുകൂലിക്കാൻ ആൎക്കും തന്നെ സാധിക്കുകയില്ല. ഇങ്ങനെ ൫൦ ശതമാനം ഭൂനികുതികുറച്ചു കൊടുക്കണമെന്നു ഒരു പ്രമേയം ഇവിടെ പാസാക്കി കഴിഞ്ഞാൽ അതു നടപ്പിൽ വരുത്താൻ തന്നെ വളരെ പ്രയാസമാണ്.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : ഭൂനികുതി എത്ര ശതമാനം കുറച്ചു കൊടുത്താൽ ശരിയായിരിക്കും?

MR. P. S. MAHOMED (*Nominated*) : എന്തുകുറച്ചു കൊടുക്കണമെന്നു ഞാൻ ആലോചിച്ചിട്ടില്ല. ആലോചിച്ചതുകൊണ്ടു ഇപ്പോൾ പ്രയോജനവുമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മെമ്പറുടെ യുക്തം പോലെ ഒരു ഭേദഗതികൊണ്ടു വന്നാൽ അതു ഇവിടെ സ്വീകരിക്കയില്ലെന്നു മെമ്പൎക്കു ഉറപ്പുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*) : അതു സ്വീകരിക്കാൻ മനസ്സുണ്ടെങ്കിൽ തന്നെയും അതു സ്വീകരിക്കാൻ ഇടയില്ലെന്നാണ് എൻെറ വിശ്വാസം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതെന്തുകൊണ്ടാണ്?

MR. P. S. MAHOMED (*Nominated*): അതിനെപ്പററി മുൻകൂട്ടി അറിവുകൊടുക്കേണ്ടിയിരുന്നു. ഗവൺമെൻറിൻെറ അനുമതി ലഭിക്കണം. ഭൂനികുതികുറയ്ക്കുന്ന വിഷയത്തിൽ ഗവണ്മെൻറു അതനുവദിക്കുമെന്നു എനിക്കു വിശ്വാസവുമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): കഴിഞ്ഞതവണ തന്നെ വാദപ്രതിവാദത്തിനു വന്നതല്ലേ ഈ പ്രമേയം?

MR. P. S. MAHOMED (*Nominated*): ആ വിഷയത്തിൽ എന്നെക്കാൾ കൂടുതൽ വിഷമം എടുത്തു പ്രവർത്തിക്കുന്നതിനു കടമപ്പെട്ടവരും ജനങ്ങൾ തങ്ങളുടെ പ്രതിനിധികളായി തിരഞ്ഞെടുക്കപ്പെട്ടിട്ടുള്ളവരുമായ മെമ്പർമാർ ഇതു വഹിക്കുമെന്നു ഞാൻവിചാരിച്ചു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മെമ്പർക്കു ജനങ്ങളുടെ പ്രാതിനിധ്യമില്ലെ?

MR. P. S. MAHOMED (*Nominated*): എനിക്കു ജനങ്ങളുടെ പ്രാതിനിധ്യമുണ്ടെങ്കിലും അതു സമ്മതിക്കാൻ ചിലർ തയ്യാറില്ലാത്തതു കൊണ്ടു ഞാൻ ഇതിൽ വലിഞ്ഞുകയറേണ്ട എന്നു വിചാരിച്ച് അമൻറുമെൻറു അയക്കാതിരുന്നതാണ്.

MR. JOSEPH KUNJU (*Chenganachery* cum *Peermade*): മെംബറുടെ അഭിപ്രായമെന്താണ്?

MR. P. S. MAHOMED (*Nominated*): എൻെറ അഭിപ്രായം ഞാൻ പലപ്പോഴും ഇവിടെ പറഞ്ഞിട്ടുണ്ട്.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): എക്സൈസ് ഡിപ്പാർട്ടുമെൻറിൽ നിന്നും കള്ളുഷാപ്പു കൺട്രാക്ടർമാർക്ക് അവർ അടയ്ക്കേണ്ടപണം കുറച്ചുകൊടുത്തു എന്നു മെംബർക്കറിയാമൊ?

MR. P. S. MAHOMED (*Nominated*): നഷ്ടപ്പെട്ടവർക്കു കുറച്ചുകൊടുത്തു എന്നറിയാം.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): ജനങ്ങളെ നശിപ്പിച്ചു ലാഭം ഉണ്ടാക്കുന്ന കള്ളുഷാപ്പു കൺട്രാക്ടർമാർക്കു പണം കുറച്ചുകൊടുത്താലും സാധുക്കളായ കൃഷിക്കാർക്കു ഭൂനികുതി കുറച്ചു കൊടുക്കാൻ പാടില്ലെന്നാണൊ മെംബറുടെ അഭിപ്രായം?

MR. P. S. MAHOMED (*Nominated*): കൃഷിക്കാർക്കു കരം കുറച്ചു കൊടുത്തുകൂടാ എന്നു ഞാൻ പറഞ്ഞില്ല എന്നു മെംബർ മനസ്സിലാക്കിയാൽ ഈ ചോദ്യങ്ങൾക്കൊന്നും അവകാശമില്ല. കൃഷിക്കാർക്കു കരം കുറച്ചു കൊടുക്കേണ്ടതാണ്; എന്നാൽ പ്രമേയത്തിൽ പറഞ്ഞിരിക്കുന്ന

[Mr. P. S. Mahomed.]

പകുതി കുറച്ചുകൊടുക്കുക എന്നുള്ളതു പ്രായോഗികമല്ല എന്നാണു ഞാൻ പറഞ്ഞതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): എത്ര കുറച്ചു കൊടുക്കാമെന്നു മെംബർ ആലോചിച്ചിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): എന്റെ ഹൃദയത്തിൽ അതുണ്ടു്. അതിവിടെ പറഞ്ഞതുകൊണ്ടു പ്രയോജനമില്ല.

MR. M. GOVINDAN (*Nominated*): പ്രയോജനമില്ല എന്നു പറഞ്ഞതിന്റെ അർത്ഥമെന്താണു്?

MR. P. S. MAHOMED (*Nominated*): ഈ നിലയിലിരിക്കുന്ന പ്രമേയത്തിനു അങ്ങിനെ ഒരു ഭേദഗതി വരുത്താൻ സാധിക്കുകയില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഈ പ്രമേയത്തെ മെംബർ പിൻതാങ്ങുന്നില്ലെ?

MR. P. S. MAHOMED (*Nominated*) ഇല്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): എത്ര ശതമാനം കുറച്ചാൽ ഈ പ്രമേയത്തെ പിൻതാങ്ങാം?

MR. P. S. MAHOMED (*Nominated*): അതിപ്പോൾ ചോദിക്കേണ്ട ചോദ്യമല്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഭേദഗതി വരുത്താൻ വേണ്ടി ചോദിക്കയാണു്.

MR. P. S. MAHOMED (*Nominated*): ഭേദഗതി നടപ്പിൽ വരികയില്ല.

MR. S. KRISHNA PILLAI (*Karunagapalli* നടപ്പിൽ വരത്തക്കവണ്ണമുള്ള ഭേദഗതിയായാലൊ?

MR. P. S. MAHOMED (*Nominated*): അങ്ങിനെ എന്തെങ്കിലും ഒന്നു കൊണ്ടുവന്നാൽ ഞാൻ വോട്ടുചെയ്യാം.

MR. S. KRISHNA PILLAI (*Karunagapalli*): പ്രമേയത്തിൽ ൨൫ ശതമാനമെന്നാക്കിയാലൊ?

MR. P. S. MAHOMED (*Nominated*): അതു ക്രൂരതലാണു്.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ൨൦ ശതമാനമാക്കിയാലൊ?

MR. P. S. MAHOMED (*Nominated*): അതും ക്രൂരതലാണു്.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ൧൫ ശതമാനമാക്കിയാലൊ?

MR. P. S. MAHOMED (*Nominated*): അതും ക്രൂരതലാണു്.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഫ ാ ശതമാനമാക്കിയാലൊ?

MR. P. S. MAHOMED (*Nominated*): കഷ്ടിച്ച സമ്മതിക്കാം (ചിരി).

ആ രീതിയിൽ നടപ്പിൽ വരത്തക്ക പ്രമേയമായിരുന്നുവെങ്കിൽ എനിക്ക് അനുകൂലിക്കാൻ സാധിക്കുമായിരുന്നു.

MR. R. S. SUBRHAMANYA PILLAI (*Kalkulam* cum *Viluvankod*): ഇതു നടപ്പിൽ വരികയില്ല എന്നു മനസ്സിലാക്കിയാണൊ മെംബർ പറയുന്നതു്?

MR. P. S. MAHOMED (*Nominated*): ഒരു സംഗതിയുടെ എല്ലാവശവും നോക്കിയാൽ അതു നടപ്പിൽ വരുമൊ ഇല്ലയൊ എന്നുള്ളതു് കണ്ടുപിടിക്കാൻ ബുദ്ധിമാന്മാരായ ആളുകൾക്ക് വിഷമമുണ്ടാകുമെന്നു തോന്നുന്നില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അനന്തിരവരായ പ്രജകളുടെ പ്രതിനിധികളായ നമ്മൾ ഇങ്ങിനെ ഒരു പ്രമേയം പാസ്സാക്കിയാൽ അതു കാരണവനായ ഗവമ്മെൻറു സ്വീകരിക്കയില്ലെ?

MR. P. S. MAHOMED (*Nominated*): കാരണവൻെറയും അനന്തിരവൻെറയും ബന്ധത്തെ ഞാനിവിടെ നോക്കുന്നില്ല.

MR. K. KRISHNAN NAYAR (*Pattanantitta*): ഗവമ്മെൻറു സ്വീകരിക്കുമെന്നുള്ള പ്രമേയം മാത്രമെ കൊണ്ടുവരാവൂ എന്നുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): നടപ്പിൽ വരുത്തുന്നതിനു ഗവമ്മെൻറിനു സൗകര്യമുള്ള പ്രമേയമെ നാം കൊണ്ടുവരാവൂ.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഗവമ്മെൻറു തീച്ചയായും നടപ്പിൽ വരുത്തുമെന്നു മെമ്പക്കു വിശ്വാസമുള്ള സംഗതികൾ മാത്രമെ മെമ്പർ ഇവിടെ കൊണ്ടുവരാവുള്ളോ?

MR. P. S. MAHOMED (*Nominated*): ഗവമ്മെൻറിനു പ്രവത്തിക്കാൻ നിവൃത്തിയില്ലാ എന്നു ബോദ്ധ്യം വരുമ്പോൾ ഞാൻ അതു നിർബ്ബന്ധിക്കാറില്ല.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I rise to a point of order. I think questions should be addressed to the Chair.

PRESIDENT: Technically, questions *should be* addressed to the Chair. The idea is, that, even though questions and cross questions may be exchanged between the members themselves, they are really addressed to the Chair.

MR. P. S. MAHOMED (*Nominated*) : ഗവൺമെൻറു സമ്മതിക്കുമെന്നുള്ള വിഷയങ്ങൾ മാത്രമല്ല ഇവിടെകൊണ്ടുവരാൻ നിശ്ചയിച്ചിട്ടുള്ളതും കൊണ്ടുവരണമെന്നു ആഗ്രഹിക്കുന്നതും. നാം ഒരു പ്രവൃത്തിചൂണ്ടിക്കാണിച്ചു അതു ഗവൺമെൻറിനു പ്രവൃത്തി രൂപത്തിൽ കൊണ്ടുവരാൻ സാദ്ധ്യമല്ലെന്നു കാണുന്നപക്ഷം അങ്ങിനെയുള്ളവകൊണ്ടുവന്നു ഗവൺമെൻറിനേയൊ മററുസ്ഥാപനങ്ങളേയൊ വിഷമിപ്പിച്ചു കൂടാത്തതാകുന്നു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ഗവൺമെൻറിനോടു ഈ സംഗതിയെപ്പററി മെമ്പർ ആലോചിച്ചിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ഒരു സംഗതിയുടെ പരമാർത്ഥമറിയാൻ ഗവൺമെൻറുമായിട്ടു ആലോചിക്കണമെന്നില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ഇതു നടപ്പിൽ വരുത്താൻ സാദ്ധ്യമല്ലെന്നു മെമ്പർ നിശ്ചയിച്ചതെങ്ങിനെയാണു്?

MR. P. S. MAHOMED (*Nominated*): ഇതു സ്വീകരിക്കാൻ നിവൃത്തിയില്ലാത്തതാണെന്നു മെമ്പർ മനസ്സിലാക്കാത്തതു അതിൻെറ എല്ലാവശങ്ങളേയുംപററി മെമ്പർ ആലോചിക്കാത്തതിൻെറ ഫലമാണു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ഞാൻ ഗവൺമെൻറുമായി ആലോചിക്കാറില്ല. അതുകൊണ്ടാണു് മെമ്പറോടു ചോദിച്ചതു്.

MR. P. S. MAHOMED (*Nominated*) : ഗവൺമെൻറുമായി ആലോചിക്കേണ്ട ആവശ്യമില്ല. മെമ്പർ തന്നത്താനെ ആലോചിച്ചാൽ ഇങ്ങിനെയുള്ള സംശയത്തിനിടവരികയില്ല.

അതിനാൽ ഈ പ്രമേയത്തെ ഇതേരൂപത്തിൽ അനുകൂലിക്കുന്നതിനു നിവൃത്തിയില്ലാത്തതിൽ വ്യസനിച്ചുകൊണ്ടു ഞാൻ വിരമിക്കുന്നു.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, I wish to add a few words to the discussion. There is some truth in the statement that the resolution as it is worded gives a handle to the Government to make it appear that we are proposing something extraordinarily impossible for them to accept. That is the defect of the resolution. But the principle of the resolution cannot but be accepted by a Governmen who concedes that there is acute economic depression in the State, and who also concedes that the Government is in the position of a benevolent *karanavan*. I think Mr. Asan will be willing to make a reduction which will appear more reasonable to all people, so that the resolution may get a large amount of support. Otherwise, it will give a handle to people who want to vote against the resolution, as they may say that this is a very extraordinary resolution, and that the 50 per cent.

reduction is quite an impracticable proposition to accept. I believe the mover of the resolution will not give such an easy handle for the resolution to be voted out.

One point I wish to answer which the Law Member asked by way of a question. He asked Mr. Thanu Pillai whether it was in the way of a punishment to the Government for misbehaviour that a reduction in the land revenue was now being proposed. To a certain extent, it is. We have got a justification in proposing this reduction of 50 per cent. We find that Government, in these extraordinarily difficult times, are acting in a way which does not occur to us to be actuated by a real feeling for the welfare of the people. If we had been convinced that Government had taken every possible step to reduce expenditure and to conserve finances, the question certainly arises whether we can irresponsibly propose a cut like this. But, Government have been absolutely negligent in that direction. Even among the items of expenditure that are within the purview of this Council—not to speak of the large amounts spent on matters outside the purview of this Council—even on the pay and allowances of officers now being paid, *after* the economic depression set in and *after* the Economic Depression Enquiry Committee was appointed, we can show instances after instances where an increase has been made. Mr. Robinson put a question whether any other Government has done so much for its people as the Government of Travancore. The Chief Secretary in his speech said that there are only two ways of balancing a Budget. One is, he admitted, by reducing expenditure. My question is, have the Government of Travancore done as much for the reduction of expenditure as the Governments of other countries have done? Have they taken prompt measures of retrenchment as other Governments have done? Even in the matter of appointing a Retrenchment Committee, were they not the last? Have they made any reduction in the pay of officers even after the Viceroy announced a voluntary reduction of *his* pay? Has the pay of the Dewan or his allowances been reduced voluntarily or by the recommendation of the Retrenchment Committee? These are very pertinent questions, and the natural answers to them convince us that Government, so far as the curtailing of expenditure—which is a very necessary item to tide over a difficult period like this—is concerned, have not taken sufficiently drastic steps. They are only taking very vigorous steps to squeeze out money from the people. We wish to tell the Government that even for them to go on squeezing, even for the policy of squeezing to be successful, they must allow some life-blood to remain in the people so that they may squeeze out in future also. I know Mr. Asan, as the representative of the people, seeing the worst of their miseries, seeing the exactions of the revenue collecting agencies, has worded his resolution with a lot of emotion. The defect in the wording is due to that. He felt that the people were being ground down; and he wanted to give them some relief. He naturally thought that a 50 per cent. remission would save them. Mr. Krishna Pillai put a question to Mr. Robinson, whether at least one per cent. remission would be allowed by the Government and Mr. Robinson said "No." He stands on technical grounds.

[Mr. K. Kunjukrishna Pillai.]

That is not the spirit which we expect from the Government. That is not the spirit that the people of the country expect from those who are their paid servants and who administer the country, obviously for the benefit of the people. If the Government have made all the reductions that are humanly possible, and if, even after that, such a resolution was brought forward, I could understand them saying that this cut would place them in a difficult position as a result of which they would not be able to run the Government. We could have understood the force of the argument then. But Government have not done that. My main criticism is that they have not reduced expenditure to the marginal point, which they ought to have done especially in view of the fact that they *concede* that the people are also suffering to a great extent. With these few words, I support the principle of the resolution, and request Mr. Asan to reduce the percentage so that it may be possible for *all* to vote *for* it.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): എത്ര ശതമാനമാക്കണമെന്നാണ് മെമ്പറുടെ അഭിപ്രായം?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Personally, I would like to propose not less than 15 per cent. I think that would be reasonable.

MR. S. KRISHNA PILLAI (*Karunagapalli*): ൨൦ ശതമാനമാക്കിയാൽ മെമ്പർക്കു സമ്മതമാണോ ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Even if it is 20 per cent., I have no objection; and as for that matter, I am going to vote for this resolution even as it is. Fifteen per cent. will be a very legitimate and reasonable reduction; and I think Government also will accept it.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): I support the principle of this resolution. Whatever may be urged by members on the other side of the House, I maintain that the economic depression and the heavy fall in the prices of agricultural products have a more telling effect upon the *people* than upon the *Government*. It may be argued that the Retrenchment Committee, which is applying its axe to all the Departments of the Government, has not done full justice to the work allotted to it. Posts of doubtful utility are still retained. When the work of the various Departments is getting slackened, and when works of public utility are also in a very slackened condition, most of these posts are retained on the same grade of salary. I may bring to the notice of the Government that whatever remissions may be given to the agriculturists, the land revenue is always a charge upon the land, and should always be proportionate to the income derived from the land. Now, the position of the land-holders is certainly much worse than the position of most other people; the income derived from land is much less since the prices of agricultural products have gone down to a greater extent than the prices of other products. Therefore, whatever may be the arguments advanced by the Government at this stage, it only behoves the ryots to ask for concessions. I fully support the resolution.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What is the *pattam* per cocoanut tree in the Shertallai taluk?

MR. K. P. MADHAVAN PILLAI (*Shertallai*): It varies.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): On an average and approximately?

MR. K. P. MADHAVAN PILLAI (*Shertallai*): I am only speaking of the actual yield. That does not depend on the *pattam*.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is the member aware what the *pattam* now is and what it was two years ago? I am merely asking for information.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): I think the *pattam* now is not much different from the *pattam* three years ago.

MR. A. THANU PILLAI (*Trivandrum*): Do the owners of gardens get the same amount of *pattam* now as they were getting some years ago?

MR. K. P. MADHAVAN PILLAI (*Shertallai*): No; it has gone down.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What was it four years ago, and what is it now? I want to know the proportion of the reduction.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): I would request the Law Member himself or the Land Revenue Commissioner for that matter to supply the information on that point.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to oppose the resolution. In doing so, I must make it clear to the House what the exact scope of the resolution is. The resolution reads, "This Council recommends to Government that in view of the present economic condition 50 per cent. of the land revenue be remitted" so that, the only question for the House to consider in this debate is whether, *in view of the economic depression*, the revenue should be remitted or not. There is no question of whether the Government have done as much as they could have done or should have done in relieving the hardship of the people. That is entirely beside the point. On the point involved in the resolution I wish to submit to the House that no case has been made out for remitting the land revenue. The revenue is fixed in relation to the produce of the land. That, I grant. But, at the same time, I must say that, in the case of the paddy lands, the tax was fixed in kind, as so many *paras* of paddy, at the time of the Settlement, and in the case of the cocoanut trees, as so many chuckrams per tree. And that has, no doubt, to be paid now also.

A distinction has been sought to be drawn between the income tax and the land tax. Income tax is always proportionate to the actual income, the income being calculated in money. A person getting an income of, say Rs. 1,000, has to pay a certain amount as income tax. If his income goes up he has to pay a greater amount as tax. That, no doubt, is not the case in regard to land tax: but all the same there is no reason why the land tax should be reduced because of the present

[MR. KAYALAM PARAMESVARAN PILLAI.]

economic depression and the reduced income. The bulk of the land revenue that is now charged on lands was charged at the time of the last Settlement which began in 1062 and ended in 1082. If you compare the price of paddy then and now, you will find that it is considerably more now. And, the tax is even now the same, in any event it has not been increased. For calculating the money value of the tax, the price of a *para* of paddy was fixed at 11 chs. at the time of the Settlement. I dare say, the price of a *para* of paddy is more than 11 chs. even now.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What was the market price of paddy at the time this 11 chuckrams was fixed for the purpose of tax?

MR. KAYALAM PARAMESVARAN PILLIAI (*Additional Head Sirkar Vakil*): The average price was calculated about three fanams per *para* in 1082.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it based on any authorised report?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is what I am told by the Land Revenue Commissioner. Surely, it could not have been *less than* 11 chuckrams.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What was the price of paddy per standard *para*, at the close of 1106, in the headquarters of the Quilon and Kottayam Divisions, and in the Mavelikara, Ambalapuzha and Tiruvella taluks?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): More than 13 chuckrams per standard *para*, I am informed.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapall*): I may refer the member to the Government statistics wherein it is said that the price was 12 chuckrams 8 cash per *para*.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Even then, the resolution cannot be accepted; because, the ryot has to pay only less than that. All that I am asserting is that the price of paddy is not *less* than eleven chuckrams even to-day.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): നാഞ്ചിനാട്ടുമുതലായ തെക്കൻദിക്കുകളിൽ നെല്ലു പറഒന്നിനു എന്തുവിലയാണെന്നറിയാമൊ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അറിഞ്ഞുകൂടാ.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): പറയ്ക്കു ഫിക്സ്‌വച്ചു കരം തീൎക്കണമെന്നു നിശ്ചയിച്ചകാലത്തു കരംപിരിക്കുന്ന പ്രവൃത്തിക്കാരുടെ ശമ്പളം എത്രയായിരുന്നു ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additionl Head Sirkar Vakil*): എനിക്കിപ്പോൾ നിശ്ചയമില്ല. എത്രയായിരുന്നു എന്നുമെമ്പർ പറഞ്ഞാൽ അതു സ്വീകരിച്ചുകൊള്ളാം.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*) : പത്തു രൂപായായിരുന്നു എന്നാണ് എന്റെ അറിവ്. ഇപ്പോൾ അതു് ൨൰ രൂപായായിട്ടു വൎദ്ധിച്ചിട്ടില്ലേ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : അതെ.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*) : ഇപ്പോൾ അവരുടെ ശമ്പളം പത്തുരൂപായാക്കുന്നപക്ഷം അതവൎക്കു തൃപ്തികരമായിരിക്കുമൊ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That is not the question now before the House.

MR A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Has not the cost of cultivation increased ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may have comparatively.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : What was the market price of cocoanuts in 1082 ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; Probably, three or four rupees a hundred.

MR. M. GOVINDAN (*Nominated*) : By fixing the commutation rate at 11 chuckrams per *para*, did not the ryots gain a distinct advantage at that time on account of the higher market prices then ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes.

MR. M. GOVINDAN (*Nominated*) : Is it not natural that the ryots would have adjusted their expenditure to the large surplus they were able to get on account of the difference between the market price and the commutation rate ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); Yes, quite likely. For that, the adjustment has now to be made elsewhere, say for example, by a reduction in the standard of living.

MR. M. GOVINDAN (*Nominated*) : What was the standard of life in 1082 ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; I cannot define it.

MR. A. THANU PILLAI (*Trivandrum*) : What was the margin of profit that the cultivator was able to make in 1060 ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have no information on that matter.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Does not the principle of taxation depend upon the ability of the ryot to pay?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The paddy lands were assessed last at the time of the last Settlement; and it is not the contention of the House that that rate is unreasonable. If that is so, I do not see any reason why the ryot should complain now on the ground of economic depression what amount of paddy was fixed as the tax then, that amount would even now, at the persent price, pay the tax.

MR. A. THANU PILLAI (*Trivandrum*): Does the Law Member realise that we are here concerned with human affairs and not with arithmetic?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I thought this House was a business house doing business here. Having regard to the scope of the resolution, the only question to consider is whether, in view of the economic depression, the tax should be reduced. By all means compare the prices of commodities. Has the price of paddy gone down below what it was at the time of the last Settlement when the present rate of assessment was fixed? If any member can prove that the price, with reference to which the tax was fixed, has gone down, then I can understand that the tax also must be reduced in proportion to that.

Next, take the case of garden lands. In regard to the cocoanut trees, the highest tax is 4 chuckrams; and that was fixed in 1012, about 95 years ago. Four chuckrams is the highest tax even to-day. But has not the price of cocoanuts increased?

MR. K. GOPALAKRISHNA PILLAI (*Parur*): But, have not the Government increased in proportion, the duty on cocoanut products?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not here concerned with the other sources of Government revenue.

The land tax imposed in respect of cocoanut trees in 1012 was 4 chuckrams; and the same tax was fixed again in 1061. During all these years, has not the price of cocoanut increased?

MR. K. NARAYANAPERUMAL NADAR (*Ayastisvaram*): Has not the value of a rupee increased ten (10) times now than it was in the past?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That does not arise for the purpose of the present debate. The only question is whether the price of cocoanut has gone below even 10 fanams now.

MR. A. THANU PILLAI (*Trivandrum*): According to the Law Member, am I to understand that the present economic condition of the cultivator as compared with what it was before the depression and his ability to pay now do not count at all in regard to the question

of tax he has to pay. Is it only the comparative prices at the time of the Settlement and now that are to be taken into account for this purpose? Is that his position?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, the question is whether, *because* of the present depression, the tax should be reduced. That is the only question now before the House.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Has the economic depression increased the paying capacity of the ryot?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Nor has his paying capacity gone down having regard to the wherewith intended to pay the tax. Even if his actual income has gone down the adjustment has to be made elsewhere. If, when cocoanut was selling at a higher rate, Dr. Madhavan Pillai was travelling in a motor car he must give it up now when the price has gone down but must not complain that the land tax has become too burdensome.

MR. A. THANU PILLAI (*Trivandrum*): Is that the position of the benevolent *karanavan*?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): He is the head in the *tarwad* and he must maintain every member of the *tarwad*. That is his paramount duty.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Maintain them, by giving them arguments instead of food and clothing.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If the members do not realise the real situation he must satisfy them by arguments, of course.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): Has not the export duty on *copra* been increased?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We are not concerned with export duty or import duty now. We are concerned only with land revenue. Having regard to the produce of the land, and having regard to the present prices, the charge on the land has not become excessive at all. If it is possible to make out that it has become excessive, then I can understand that the tax should be reduced.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*)): Sir, I am sorry that even some of the non-official members feel that the demand I have made is too high or somewhat impracticable. Opposition was first raised by the Chief Secretary, and I shall meet the arguments advanced by him. He said that there was a deficit Budget, and that therefore it was not proper to ask for a remission of tax at this time as that was likely to embarass the Government to a very large extent. Sir, probably that is the attitude of the Government when it views at these matters quite detached from the condition of the people. This economic depression has affected the people of the State to a much larger extent than the Government; and it is only as a consequence, though remote, of the difficulties experienced

[Mr. A. S. Damodaran Asan.]

by the people that there is some reduction in the revenues of Government. The Chief Secretary has been saying "Sometimes you ask for the abolition of tolls; at other times you ask for a reduction of the tariff values; and now you ask for a reduction of tax. How can the Government satisfy all these demands?" Of course, I can understand this argument if it comes from a *karanavan* who is not very keen about the condition of the *anantaravans*. If the *anantaravans* ask for some cloth, he will not give. If they ask for food, he will say, "Why do you ask for cloth and then ask for food also". If he wants some money for educational purposes, the *karanavan* will say, "No, no, you have asked for cloth, then for food, and now you want money". Sir, is this *karanavan* going to give us anything after all, I ask? We have been asking for the abolition of the tolls, reduction of tariff duties, etc. But, have the Government done *anything* till now?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): May I know whether the *karanavan*—

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Let me first of all finish my speech, Sir. The time at my disposal is limited. If the Chair would give me ample time, I have no objection to answer him.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഗവണ്മെൻറമ്മാവൻ ഇങ്ങനെയുള്ള സൌജന്യങ്ങൾ അനന്തരവർക്കു ചെയ്തുകൊടുക്കാതിരിക്കുന്നതു മക്കളായ ഉദ്യോഗസ്ഥന്മാരെ പുലർത്താനല്ലേ? (ചിരി).

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not know whether they are the sons or the daughters of Government and so I cannot answer the question..

Perhaps, the Government may say that they have reduced the tariff values. Well, they have reduced the tariff values on certain articles. But they have also *increased* the tariff values in other cases and have also increased the customs duty on tobacco. The tariff value of *copra* has been reduced from Rs. 20 to Rs. 16 per cwt. But now, the market value is only below Rs. 10 per cwt. The other day, in reply to a supplementary question, put by my friend, Mr. Gopalakrishna Pillai, in regard to the ratio between the tariff value and the market value, the Government member said that he could not say that. There *is* a ratio between the tariff value and the market value. If the Government have reduced the tariff value by 20 per cent., I say, they have not reduced it to the extent to which the market value of the produce has fallen.

Another argument advanced by the learned Chief Secretary was that the Government had done all that they could in the matter and that they had given relief under so many heads. Of course, it was a long list; and if any one goes into the merits of the measures adopted, they could see that, all of them put together would not come to much. Sir, the last instalment, according to my information, of the tax for 1106 fell due in Edavam 1106. At the close of Mithunam, a G. O. was

issued to the effect that coercive steps should not be resorted to. That was, one and a half months after the last date on which the tax fell due; and, for these one and a half months coercive steps were freely resorted to That G. O. was to be in force for one month. Afterwards, the Government, by another G. O. said that it was to be in force until further orders. And, in Tulam, three months afterwards, the Government withdrew the order. I asked Government at the last meeting whether the conditions of the ryots had improved in these three months to justify the Government withdrawing the G. O. suspending coercive action, already issued. The Land Revenue Commissioner, who was asked that question, said that he was not aware of any such order as he was then absent on leave. And, that G. O. was, after all, issued only *after* coercive action had been taken in more than 95 per cent. of the cases. The next concession given was that the demand notice fees were remitted. I know that, as a matter of fact, the fees that had been realised during the latter half of 1106, and which were promised to be adjusted towards the tax for 1107, has not yet been adjusted. The necessary orders have not yet been received by the Tahsildars, and it appears that the demand notice fees that have not been realised, on account of the G. O., are now being included as old arrears and that steps are being taken to realise them.

Then, another concession shown by the Government is with regard to the commutation price of paddy as regards the *Kandukrishi* lands. Sir, there were loud complaints with regard to payment in kind of *Kandukrishi* tax; and the Government fixed the commutation rate at six fanams per *para,* when the market rate was seven fanams. Last year, the Government records would show that the market price of paddy, in the taluks in which there are *Kandukrishi* lands, was only 12 chackrams and 8 cash. And, what was the reduction granted? Government reduced the rate from 24 to 18 chackrams.

MR. K. GEORGE (*Chief Secretary to Government*): Was not the payment of tax in kind allowed as an alternative?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): I am coming to that. The first order was the reduction of the commutation rate to *eighteen* chackrams, when the market price was only *twelve* chackrams. Then the people said, "Why Sir, our old condition was much better. Just allow us to pay in kind; because we find it difficult to pay *eighteen* chackrams per *para* when the market price is only *twelve* chackrams" And then, Government allowed them to pay it in kind. In this matter also, the concession granted to the people was so bad that they had to pray again for the old order of things.

Another relief measure which was taken by Government is the establishment of a Land Mortgage Bank. I object to the Land Revenue Commissioner's statement that he does not know whether any money has been advanced by the Bank or not.

Sir, it has been stated that this is a very big order upon the Government to reduce 50 per cent. of their land revenue. Fifty per cent. of the tax, I also know, will come to about nineteen lakhs of rupees. But then, the total revenue of our Government is about two hundred

[Mr. A. S. Damodaran Asan.]

and forty lakhs. The reduction I recommend does not come even to ten per cent.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The revenue has fallen to Rs. 215 lakhs.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Even if it is only Rs. 215 lakhs, my proposal would only be less than 10 per cent. of it.

The Law Member has been saying that the price of commodities, for purposes of tax, was fixed in 1082 or prior to that, that the prices of commodities had only increased since then, that even now the prices were not below what they were in 1082, and that, therefore, there was no reason for any complaint with regard to the land tax. Sir, in 1082, if I remember right, our total revenue was below a crore of rupees. So, the taxation per head was less than two rupees. What is the taxation per head now? It comes to five rupees. Who is to pay all these taxes? These taxes are all to be paid by the people. Without looking into that aspect of the question, the Law Member says that the *anantaravans* must feed upon arguments. That will not in any way save them from difficulties. That is what a heartless *karanavan* will do.

MR. K. GEORGE (*Chief Secretary to Government*): Will not the *anantaravans* be ruined if the *tarwad* becomes bankrupt?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In the taxes are reduced, none of the officers of Government is going to be personally made liable for that. It is the people that would be affected by it. Our request is only to make them fit to pay higher taxes. Could they not get a remission when they are in need; and, when their condition improves higher taxes be realised from them?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is the member suggesting that the remission now to be granted could also be realised as arrears later when conditions improve?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That is not it. When the Government are in difficulties, when there is a deficit, they go in for fresh taxation to make up the deficit. And, it is the people that pay you then. So, now, when the *people* are in difficulties, why not you help them so that they may be in a position to meet *your* demands later? You are keeping a milch cow. It is suffering from some disease. If you go on milking it without caring to cure it of its disease, what would be the result? You would be able to get milk only for a few days.

PRESIDENT: Your time is over.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I am allowed twenty minutes, Sir.

PRESIDENT: Twenty minutes are allowed to the mover of a resolution only when he *moves the* resolution. I shall allow you three minutes more.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Is Mr. Asan prepared to accept my amendment in regard to percentage?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If the Government would bring forward an amendment to that effect, I am prepared to accept it. I do not know why I should lower my demand when the Government stubbornly say that they are not going to reduce even one per cent. Sir, Government is carried on in the interests of the people, and the first and foremost duty of the government is to see to the promotion of the welfare of the people. It has been stated that it is an extraordinary suggestion that I have now made, that nothing like this has been done in any other place, and that I am making a large order upon the Government. I told the Chief Secretary that 50 per cent. remission has been given in the Malaya States. That is my own information from reliable sources. Gentlemen who have to pay taxes in Federated Malaya States are now in Travancore, and it is from them that I came to know of that reduction. There has been a reduction of tax in the United Provinces also.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): May I know what the chief crop in the Malaya States is? Is it paddy? Is it not rubber?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I know they carry on the cultivation of cocoanuts, rubber, paddy, oil palms and other things in the Malaya States; In French India also, the Government have voluntarily reduced 25 per cent.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): May I know whether, in Cochin, there is any Retrenchment Committee?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I am not talking about the Retrenchment Committee. It is about the remission of taxes that I am now talking.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): May I know the area of French India?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): How is that relevant?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Is it more than five square miles?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Their revenue also will be proportionately small. The Government very often compare Travancore with the Government of India though the Indian Empire is several times larger than Travancore.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What is the tax in French India?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It is one-eighth of the produce there.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it payable in kind?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not know all details about it. The Law Member can ascertain it himself.

[MR. A. S. DAMODARAN ASAN.]

In the Central Provinces also, on 21-1-1932, the Legislative Council passed a resolution for the remission of 50 percent. in land tax. So, it is not an extraordinary proposal that I am now making in my resolution.

MR. K. GEORGE (*Chief Secretary to Government*): What about our neighbouring Governments of Madras, Cochin and Mysore?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): I am not aware whether they have granted such remissions.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether our Government have not remitted about Rs. 3 lakhs to the different toddy-shop contractors?

PRESIDENT: Do you want to reply, Mr. Robinson?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have nothing more to add, Sir.

The resolution was put to the vote and lost.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Sir, I demand a poll.

A poll was taken and the House divided as follows:—

AYES—21.

1 Mr. K. P. Abraham
2 Mrs. Anna Chandi
3 Mr. A. S. Damodaran Asan
4 ,, K. Gopalakrishna Pillai
5 ,, Joseph Kunju
6 ,, K. P. Kochukora Tarakan
7 ,, K. Krishnan Nayar
8 ,, N. K. Krishna Pillai
9 ,, S. Krishna Pillai
10 ,, K. Kunjukrishna Pillai
11 ,, K. Madhavan Pillai
12 Mr. K. P. Madhavan Pillai
13 ,, M. P. Madhavan Pillai
14 ,, M. Mahomed Mustapha
15 ,, K. Narayanaperumal Nadar
16 ,, A. Narayana Pillai
17 ,, K. Padmanabha Panikkar
18 ,, Rama Varma Raja
19 ,, R. S. Subrahmanya Pillai
20 ,, N. A. Sundaram Pillai
21 ,, A. Thanu Pillai

NOES—23.

1 Mr. L. A. Bishop
2 ,, R. Dhanukoti Pillai
3 ,, K. George
4 ,, M. Govindan
5 ,, N. John Joseph
6 ,, K. C. Karunakaran
7 ,, K. I. Kocheeppan Mappillai
8 ,, A. Kumara Pillai
9 Rao Sahib Dr. N. Kunjan Pillai
10 Mr. L. A. Lampard
11 ,, C. O. Madhavan
12 ,, P. S. Mahomed
13 Mr. E. G. McAlpine
14 ,, R. Nilakanta Pillai
15 ,, N. K. Padmanabha Pillai
16 ,, Kayalam Paramesvaran Pillai
17 Dr. K. Raman Tampi
18 Mr. S. C. H. Robinson
19 ,, C. N. Tuppan Namputiripad
20 ,, R. Vaidyalingam Pillai
21 Rao Bahadur A. Venkatarama Aiyar
22 Mr. P. Visvanatha Aiyar
23 ,, J. S. Westerdale

NEUTRAL- 1.

1 Mr. S. Chattanatha Karayalar

The resolution was declared lost.

The Council adjourned for lunch at 1-49 P. M. and met again at 2-30 P. M., the Deputy President presiding.

DEPUTY PRESIDENT: In the absence of the Dewan, I take the Chair.

RESOLUTION RE ERECTION OF ELEVATED GROUNDS IN KUTTANAD.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): I beg to move the following resolution :—

> "This Council recommends to the Government that raised areas be provided in Kuttanad, at least two for each *pakuthi*, so that the inhabitants of these areas may find shelter during times of flood."

The low-lying areas in Central Travancore, comprised in thirteen taluks and extending over an area of one hundred and twelve square miles, have been subjected to disastrous floods in recent years. It has been noticed by the inhabitants of these areas during the past two decades that in recent years, the floods in these areas have been getting more serious and more devastating than in the past. In 1099, the floods were very high and caused devastations of homesteads, livestock and agricultural implements, and the people were put to intense suffering. Floods remained at a high level for one week and subsided only after that. Four years later, again, there was flood; but it did not come quite up to the level of the floods of 1099. Last year for a third time, we had this unwelcome visitation, and it remained for a very long time. It remained well-nigh one month. The effect of the flood was more disastrous than that in the previous year. It caused great suffering to men and cattle. The whole area of 120 square miles was under water. The water could not find proper way into the sea; and for this purpose, it was considered necesary to cut open a strip of land at Porakad between Ambalapuzha and Kartikapalli. But, that was not done, considering the existence of *punja* lands in the vicinity. It was feared that salt water might get in and do damage to the *punja* lands.

Again, the Travancore Chamber of Commerce put forward a proposal to cut open the western extremity of the Commercial canal at Alleppey. But this scheme was also considered not feasible. Other schemes were also thought of, but all of them were found unsuitable in some respect or other. Hence this proposal to raise two or three plots of ground in each *pakuthi* to afford shelter to human beings and livestock during floods.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether this question ever engaged the attention of the Economic Development Board?

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): This question was fully discussed by the Economic Development Board, and they also framed certain proposals. They have accepted the principle of this resolution. With these few words, I place this resolution before the House for its acceptance.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സർ, മി. പത്മനാഭപ്പണിക്കർ ഇവിടെ ഹാജരാക്കിയിട്ടുള്ള പ്രമേയത്തെ കുട്ടനാട്ട് നിവാസികളിൽ ഒരുവൻ എന്നനിലയിൽ ഞാൻ സന്തോഷപൂർവ്വം പിൻതാങ്ങുന്നു.. തിരുവിതാംകൂറിലെ നെല്ലറ എന്നു ന്യായമായി സംബോധനചെയ്യാവുന്ന ഒരുസ്ഥലമാണ് കുട്ടനാട്. കുട്ടനാട്ട എന്താണെന്നോ, അവിടത്തുകാർ ഏതെല്ലാംവിധത്തിലുള്ള കഷ്ടനഷ്ടങ്ങൾ അനുഭവിക്കുന്നു എന്നോ, നമ്മുടെ ഗവൺമെൻറധികൃതന്മാർക്ക് അറിയാൻപാടില്ല എന്നാണു എനിക്ക് തോന്നുന്നത്. അവർക്ക് ആ സ്ഥലത്തെപ്പററി വല്ലതും അറിയാമായിരുന്നെങ്കിൽ കുട്ടനാട്ട ഇന്നത്തെസ്ഥിതിയിൽ അധഃപതിച്ചു കിടക്കുകയില്ലായിരുന്നു. ഇവിടത്തെ പൊതുമരാമത്തു വകുപ്പിൽ നിന്നും അനേകലക്ഷം രൂപാ പ്രതിവർഷം ചിലവുചെയ്യുന്നു എങ്കിലും ഒററ പൈസാ പോലും കുട്ടനാടിൻെറ ആവശ്യത്തിലേയ്ക്കായി ചിലവുചെയ്യുന്നില്ല. ചീഫ് ഇഞ്ചിനീയർ ഇതുവരെ കുട്ടനാട്ട് സന്ദർശിച്ചിട്ടില്ല എന്നാണ് എനിക്കുതോന്നുന്നത്. പ്രതിവർഷം ഒന്നരലക്ഷം രൂപായോളം ഗവൺമെൻറിനു കരം കൊടുത്തു രാജ്യഭണ്ഡാരത്തെ പരിപുഷ്ടിപ്പെടുത്തിക്കൊണ്ടിരിക്കുന്നവരാണ് കുട്ടനാട്ട നിവാസികൾ. ഉദ്ദേശം ൩൦൦ ഏക്കർ വിസ്തീർണ്ണവും ഒന്നരലക്ഷം ജനങ്ങളോളം അധിവസിക്കുന്നതുമായ ഭൂവിഭാഗമാണ് കുട്ടനാട്ട. അങ്ങിനെയുള്ളസ്ഥലത്ത് എത്രതുച്ഛമായ സംഖ്യയാണ് പൊതുമരാമത്തു വകയ്ക്കു ചിലവ് ചെയ്യുന്നത്? കുട്ടനാട്ടിലെ ഗവൺമെൻറു സ്ഥാപനങ്ങൾ രണ്ടോ മൂന്നോ മലയാളം സ്കൂളുകളും ഒന്നോ രണ്ടോ പോലീസു ഔട്ടപോസ്ററു സ്റ്റേഷനും രണ്ടു ഡിസ്പെൻസറികളുംമാത്രമാണ്. ഞങ്ങൾ ആഡംബരത്തിനുവേണ്ടി വമ്പിച്ച തുകകൾ അവിടെ ചിലവുചെയ്യണമെന്ന് പറയുന്നില്ല. ഞങ്ങളുടെ ജീവരക്ഷയ്ക്കു അത്യന്താപേക്ഷിതമായ സംഗതികൾചെയ്യണമെന്ന് മാത്രമാണ് ഞങ്ങൾ ആവശ്യപ്പെടുന്നത്. കണ്ടുകൃഷിവസ്തുക്കളും പുറമ്പോക്കുകളും അവിടെ ധാരാളമുള്ളതുകൊണ്ട് ഗവൺമെൻറിന് വലിയവിലകൊടുത്ത് ഇതിലേക്ക് സ്ഥലം വാങ്ങിക്കേണ്ടയാവശ്യവുമില്ല. വെള്ളപ്പൊക്കകാലത്ത് ഞങ്ങൾ അനുഭവിക്കുന്ന ദുരിതം എത്രമാത്രമാണെന്ന് ആകാലത്ത് സ്ഥലത്തുവന്നു നോക്കിയാൽമാത്രമെ അറിയാൻ സാധിക്കുകയോള്ളു. വേനൽകാലത്ത് ഞങ്ങളുടെപുരയിടങ്ങളുടെ ഉപ

ഭാഗം വെള്ളനിരപ്പിൽ നിന്നും രണ്ടു മൂന്നടിപൊങ്ങിയിരിക്കും. എന്നാൽ വെള്ളപ്പൊക്കകാലത്തു ഞങ്ങളുടെ പുരയ്ക്കകത്തു് രണ്ടുമൂന്നടിവെള്ളം ഉണ്ടായിരിക്കും. ആവെള്ളം ഒരുമാസംകിടക്കും. അക്കാലങ്ങളിൽ ഞങ്ങൾ അട്ട, നീർക്കോലി മുതലായ ജന്തുക്കളോടുകൂടിയാണ് സഹവാസിക്കുന്നതു. ചിലർ വള്ളങ്ങളിൽതന്നെ കഴിച്ചുകൂട്ടുന്നു. മററുചിലർ കിഴക്കൻപ്രദേശങ്ങളിലേക്കു യാത്രയാകും. ഇങ്ങിനെയുള്ള ദുരിതസ്ഥിതിയിലാണ് വെള്ളപ്പൊക്കകാലത്തു് കഴിച്ചുകൂട്ടുന്നതു്. അവയെ പരിഹരിക്കാനായി കുട്ടനാടിന്റെ ഓരോ പകുതിയിലും ഗവണ്മെന്റുചിലവിൽ പൊങ്ങിയസ്ഥലങ്ങൾ ഉണ്ടാക്കണമെന്നാണ് മിസ്റ്റർ പണിക്കർ ഈ പ്രമേയംകൊണ്ടു് ആവശ്യപ്പെടുന്നതു്. വെള്ളപ്പൊക്കകാലത്തു് ഞങ്ങളുടെ കുളങ്ങളും കിണറുകളും കിഴക്കൻ വെള്ളം കയറിമൂടിപ്പോകുന്നു. കിഴക്കൻമലകളിൽനിന്നും വരുന്നഅഴുക്കും വളവും ചേർന്ന രക്തനിറമുള്ള മലിനജലമല്ലാതെ ശുദ്ധജലം കുടിക്കുന്നതിന്ന് അക്കാലങ്ങളിൽ ഞങ്ങൾക്കു സാധിക്കുന്നതല്ല.

MR. M. GOVINDAN (*Nominated*). കുട്ടനാട്ടിൽ എത്ര പകുതിയുണ്ടു്?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ൨൦ പകുതികൾ ഉണ്ടു. അമ്പലപ്പുഴ, ചങ്ങനാശ്ശേരി, കോട്ടയം, കാർത്തികപ്പള്ളി ഈതാലൂക്കുകളിൽ ഉൾപ്പെട്ടാണ് കുട്ടനാട്ടു് കിടക്കുന്നതു്.

പൊങ്ങിയസ്ഥലം കിട്ടിയാൽ കിഴക്കൻ വെള്ളംവന്നു മൂടിപ്പോകാത്തവിധത്തിൽ അവിടെ കുളവും കിണറും കുഴിപ്പിക്കാൻ സാധിക്കുന്നതാണ്. വെള്ളപ്പൊക്കകാലത്തു ശുദ്ധജലം കിട്ടാതിരിക്കുന്നതുകൊണ്ടു് അവിടെ സാംക്രമികരോഗങ്ങൾ ധാരാളംഉണ്ടാകുകയും അനേകായിരം പേർ തൻമൂലം മരിക്കുകയും ചെയ്യുന്നു.

MR. M. GOVINDAN (*Nominated*): ഓരോ സ്ഥലത്തും കിട്ടണമെന്നു പറയുന്ന പൊങ്ങിയസ്ഥലം എത്ര വിസ്തീർണ്ണത്തിൽ വേണമെന്നാണ് പറയുന്നതു?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): രണ്ടോ മൂന്നോ ഏക്കർ സ്ഥലംവീതംകിട്ടിയാൽകൊള്ളാം.

MR. M. GOVINDAN (*Nominated*): കുട്ടനാട്ടിലെ ൨൦ പകുതികളിൽ ഇങ്ങനെ പൊങ്ങിയസ്ഥലം ഉണ്ടാക്കുന്നതിനു എന്തു ചിലവുവരും?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): അതിലേയ്ക്കു എന്തു നഷ്ടം വന്നിരുന്നാലും അതു് ഗവണ്മെന്റുചെയ്യണം. ഒന്നരലക്ഷം രൂപയാണ് ഞങ്ങളിൽനിന്നും പ്രതിവർഷം ഗവണ്മെന്റു വാങ്ങി

[Mr. Joseph Kunju.]

ച്ചുകൊണ്ടിരിക്കുന്നു്. ഞങ്ങളുടെ ആവശ്യത്തിലേക്കായി അവിടെ യാതൊരുസംഖ്യയും ചിലവുചെയ്യുന്നുമില്ല. അതുകൊണ്ടു ഈ ആവശ്യത്തിലേയ്ക്കായി എത്രലക്ഷം രൂപാ ചിലവാക്കിയാലും അതു് അധികമായിപ്പോകുന്നതല്ല.

MR. RAMAVARMA RAJA (*Edavagai*) : ഇതിലേയ്ക്കു എന്തു ചിലവു വരുമെന്നറിയാമൊ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ഒരു ലക്ഷത്തി അൻപതിനായിരംരൂപാ മതിയാകും. ഓരോ പകുതിയിലും രണ്ടോ മൂന്നൊ ഏക്കർ സ്ഥലം പൊങ്ങിക്കിട്ടിയാൽമതി. അവിടെയുള്ള ധനവാന്മാക്കു താമസിക്കുന്നതിനു വലിയ മേടകൾ ഉണ്ടു്. അല്ലെങ്കിൽ അവർ ചങ്ങനാശേരിയിലൊ തിരുവല്ലായിലൊ മററുവല്ല പൊങ്ങിയസ്ഥലങ്ങളിലോ പോയി താമസിക്കും. അധഃകൃതരുടെയും മററു സാധുക്കളുടെയും ഉപയോഗത്തിനാണു് ഇങ്ങിനെആവശ്യപ്പെടുന്നതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : ധനവാന്മാരാണൊ അവിടെ അധികം ഉള്ളതു്.

MR. JOSEPH KUNJU (*Changanchery* cum *Peermade*) : അല്ല. അധികവും സാധുക്കളാണു്.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): എല്ലാസമയത്തും ഇതിന്റെ ആവശ്യമുണ്ടൊ?

MR. JOSEPH KUNJU (*Changanchery* cum *Peermade*) . വെള്ളപ്പൊക്കകാലത്താണു് ഈ സ്ഥലത്തിന്റെ അത്യാവശ്യം. ഞങ്ങളുടെ ദുരിതങ്ങൾ എന്താണെന്നു അധികൃതന്മാക്കു അറിയാൻപാടില്ല. അതുകൊണ്ടു ഗവണ്മെൻറുഭാഗത്തുനിന്നും സാധാരണയായി ചെയ്യുന്നതുപോലെ ഈപ്രമേയത്തേയും എതിർക്കാതെ ഇതു സവ്വസമ്മതപ്രകാരം പാസാക്കണമെന്നാണു് എന്റെഅപേക്ഷ.

MR. A. THANU PILLAI (*Trivandrum*): വെള്ളപ്പൊക്കകാലത്തു സാധാരണ അവിടെ കഴിച്ചുകൂട്ടുന്നതെങ്ങിനെയാണു്?

MR. JOSEPH KUNJU (*Changanchery* cum *Peermade*) : ചിലർ വള്ളങ്ങളിൽ കഴിച്ചുകൂട്ടും. തടിയും കല്ലും പുരയ്ക്കകത്തു അടുക്കിയിട്ടു അതിൽ ചിലർ അഭയംപ്രാപിക്കും. ഈ സന്ദർഭത്തിൽ അട്ടയും നീർക്കോലിയും ധാരാളമായികടിക്കും. ചിലർ ദിക്കുവിട്ടുപോകും. ചിലപ്പോൾ ധനവാന്മാർ സാധുക്കൾക്കുവള്ളങ്ങൾകൊടുക്കും. അതിൽ രണ്ടുംമൂന്നും നാലും ചേർച്ചേന്നു താമസിക്കുന്നു. വെള്ളപ്പൊക്കത്തിൽ അടപ്പുകൂട്ടുന്നതിനുപോലും

സ്ഥലം കിട്ടുകയില്ല. അതിനാൽ മിക്കവാറും സാധുക്കൾക്ക് പട്ടിണി തന്നെ ആധാരം. ഇങ്ങിനെ വെള്ളത്തിൽതന്നെ ദീർഘസമയം കഴിച്ചുകൂട്ടുന്നതിനാൽ തണുപ്പുകയറിയും പലർ അക്കാലങ്ങളിൽ മരിക്കുന്നു.

MR. M. GOVINDAN (*Nominated*) : അവിടെയുണ്ടാകുന്ന വെള്ളപ്പൊക്കത്തിൽ ജീവനാശം വന്നിട്ടുണ്ടോ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ധാരാളം ഉണ്ടായിട്ടുണ്ട്. സാംക്രമികരോഗംകൊണ്ടും തണുപ്പുകൊണ്ടും ധാരാളം ജനങ്ങൾ ആണ്ടുതോറും മരിക്കുന്നുണ്ട്.

MR. K. GOPALAKRISHNA PLLAI (*Parur*) : ഭൂമി ഉയർത്തിക്കിട്ടുന്നതിനേക്കാൾ കുറെ വള്ളങ്ങൾ കിട്ടിയാൽ മതിയാകുമൊ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): വള്ളംകിട്ടിയാൽ അതിൽ കിണർ കുഴിക്കുന്നതിനു സാധിക്കുകയില്ലല്ലൊ. കൂടാതെ വെള്ളത്തിലെതാമസവും കരയ്ക്കുതാമസവും രണ്ടും രണ്ടാണല്ലൊ.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : അതു് ദീർഘകാലത്തേക്കില്ലല്ലൊ.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സമയം കുറച്ചായാലും ശുദ്ധജലം എപ്പോഴും അത്യാവശ്യമല്ലെ?

MR. K. GOPALAKRISHNA PILLAI (*Parur*): പൊങ്ങിയസ്ഥലം കിട്ടിയാൽ അവിടെയും ചിലപ്പോൾ വെള്ളംകിട്ടാതെവരികയില്ലെ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*). എങ്ങിനെ കിഴക്കൻ പ്രദേശങ്ങളിലുള്ള അഴുക്കുകളെല്ലാം കലങ്ങിവരുന്നമലിനജലം ഉപയോഗിക്കാതിരിക്കാൻകൂടി സാധിക്കുന്നതാണ്.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : വള്ളങ്ങൾകിട്ടിയാൽ അവയെ മഴഇല്ലാത്തകാലത്തും ഉപയോഗിക്കാമെന്നറിയാമൊ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): പുരയിടമായിരുന്നാലും മഴയില്ലാത്തകാലത്തു ഉപയോഗപ്പെടുത്താം. പുരയിടത്തിൽ തെങ്ങുംമറവും വച്ച് നല്ല ആദായം എടുക്കാമെന്നുമറിയാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Karthikapalli*): വെള്ളപ്പൊക്കകാലത്തു വെള്ളം കയറാത്ത സ്ഥലം അവിടെ ഇല്ലെ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*). നിശ്ചയമായിട്ടും ഇല്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഉയന്ന സ്ഥലത്തല്ലെ സാധാരണ താമസം? കൃഷിസമയത്തുമാത്രം വെള്ളംകയറുന്ന കൃഷിസ്ഥലത്തു പോയാൽപോരെ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): വെള്ളം കുട്ടനാട്ടിലുള്ള നിലത്തിലും പുരയിടത്തിലും വെള്ളപ്പൊക്കകാലത്തു കയറും. കുട്ടനാട്ടിലുള്ള ആളുകളെ മുഴുവൻ അവിടെ നിന്നും ആട്ടി പുറത്തുവിടണമെന്നു ഒരു നിയമം ഉണ്ടാക്കിയാൽ കൊള്ളാം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അങ്ങിനെ ആയിരുന്നാൽ വെള്ളപ്പൊക്കത്തിന്റെ ഉപദ്രവം ഉണ്ടാകുമൊ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): കിഴക്കൻപ്രദേശങ്ങളിലുള്ള മലകളിൽ ഞങ്ങൾക്കു ഭൂമി പതിച്ചുതന്നാൽ കൊള്ളാം. അവിടെനിന്നും കൃഷിസ്ഥലങ്ങളിലേക്കു വരുവാനുള്ള യാത്രച്ചിലവും കൂടി ഗവണ്മെന്റിൽനിന്നും കിട്ടിയാൽ മതി.

MR. A. THANU PILLAI (*Trivandrum*): ഒരു ഏക്കർസ്ഥലം പൊക്കി ഇടുന്നതിന് ഉദ്ദേശം എന്തു ചിലവാകും.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermaed*:) ഏക്കറിന് ൨൩൦൦ രൂപാ ചിലവാകും.

MR. A. THANU PILLAI (*Trivandrum*): എത്ര അടി പൊക്കാനാണ് ഈ ചിലവു?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): നാലൊ അഞ്ചൊ അടി പൊക്കുന്നതിനാണ് ഈ ചിലവ്. ഇതിൽ സ്ഥലത്തിന്റെ വില ഉൾപ്പെടുന്നില്ല. നികത്തുന്നതിനുള്ള ചിലവ് മാത്രമാണു പറഞ്ഞതു്.

MR. A. THANU PILLAI (*Trivandrum*): നികത്തുന്നതിനുള്ള മണ്ണ് എവിടെനിന്നുമാണു എടുക്കേണ്ടതു്?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): പുഞ്ചനിലങ്ങളിൽനിന്നും പുറമ്പോക്കു സ്ഥലങ്ങളിൽനിന്നും മണ്ണ് എടുക്കണം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): പൊക്കുന്ന സ്ഥലത്തിനു എത്ര വിസ്തീർണ്ണം വേണം?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): രണ്ടേക്കറൊ മൂന്നേക്കറൊ മതി. കൂടുതലായാലും കൊള്ളാം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): കുട്ടനാട്ടിൽ എത്രപകുതിയുണ്ടു്?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഈ ചോദ്യത്തിനുത്തരം പറഞ്ഞുകഴിഞ്ഞു.

MR. P. S. MAHOMED (*Nominated*): കൃഷിചെയ്യുന്ന വയലിന്റെ വരമ്പിന്റെ വീതി കൂട്ടിയാൽ മതിയാകുമൊ ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മറെറാരുത്തന്റെ വരമ്പിന്റെ വീതി കൂട്ടുന്നതിനു ഗവണ്മെന്റിനു എന്തുകാൎയ്യം ? അതുകൂടാതെ ആററിൽനിന്നുംമററും ഒഴകിവരുന്ന വള്ളവും മററും വയലിൽ കയറിയാൽ മാത്രമെ കൃഷി ആദായകരമായിരിക്കുകയൊള്ളു. വരമ്പിന്റെ വീതികൂട്ടി ഉയൎത്തിയാൽ വള്ളം കയറാത്തതുകൊണ്ടു നിലമുടമസ്ഥന്മാർ അതു് സമ്മതിക്കുകയില്ല. തന്മൂലം കൃഷിപ്പിഴവന്നു കരമിളവ് ചെയ്യണമെന്നു ഇവിടെ പറയുകയാണെങ്കിൽ ഗവണ്മെന്റും ഉദ്യോഗസ്ഥസാമാജികന്മാർതന്നെയും അതിനു സമ്മതിക്കുകയുമില്ല.

MR. A. THANU PILLAI (*Trivandrum*) : ഇത്രയും സ്ഥലം നികത്തത്തക്കവണ്ണം സൎക്കാർ പുറമ്പോക്കുകൾ അവിടെ ഉണ്ടോ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ധാരാളമുണ്ടു്.

MR. A. THANU PLLAI (*Trivandrum*): തറവിലകൊടുക്കാതെ തന്നെയുണ്ടോ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): തറവിലകൊടുക്കേണ്ട. അല്ലാതെതന്നെയുണ്ടു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : Sir, since there can be no very serious opposition from the official benches to this very beneficent scheme, we would like to hear the official members before *we* speak on the motion.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Sir, Government are fully aware of the desirability of having plots of ground raised above the flood-level in the low-lying portions of the Kuttanad area. The matter was also considered.........

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade)*: ഒന്നും കേൾക്കാൻ പാടില്ല.

DEPUTY PRESIDENT : A little louder, Mr. Robinson.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*) : The matter was considered by the Economic Development Board also and they sent up their proposals about it. On the 9th May 1931, in consequence of orders received from Government, we selected eighteen sites in various *pakuthies* for erecting these places of refuge.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Was it the Public Works or the Revenue Department that selected the sites ?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*) : *We* selected these sites.

Six sites of two acres each were selected. These were in the Kozhimukku and Takazhi *pakuthies.* We found that the economic

[Mr. S. C. H. Robinson.]

conditions prevailing at present did not allow us to incur expenses for acquiring the sites and for raising the land. So, for the time being, the matter had to lie over. Government again wrote to me and asked me to select sites, as far as possible, from *Kandukrishi* lands in the two *pakuthies* so as to avoid the cost of acquisition; and have them as far as possible near schools or Pakuthi Offices, so that, at the time of floods, people could get shelter in these schools and office rooms and could be attended to there by the Provertikars and other Pakuthi officials who do relief work. The Dewan Peishkar then selected four sites. They are in the *pakuthies* of Kainakari, Puli kunnu, Nedumudi and Champakulam. I have submitted on the 21st of this month recommendations to Government about these sites being taken over. We have no Pakuthi offices there. The Pakuthi offices are now held in rented buildings. So we suggested that the high-level grounds may be erected in these *pakuthies* where we have *Kandukrishi* lands and that the Pakuthi offices may be located there so that the officers may attend to the people taking refuge there during floods. This scheme is much cheaper as the cost of acquisition is not much, the land being *Kandukrihi* lands mostly.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): Is it for these four sites that the member requires one lakh and twenty thousand rupees?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): No; that is for eighteen *pakuthies.* The cost of raising four sites would come only to about Rs. 18,000; there would be no acquisition charges as these are *Kandukrishi* lands.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): What is the total area of these four sites?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have not got the area here. The Tahsildar's original letter was sent on to Government.

DEPUTY PRESIDENT: Mr. Robinson, there was a statement by Mr. Joseph Kunju that there were suitable *poramboke* lands available and that no fresh acquisition was necessary. Is that so?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The Dewan Peishkar reports that the only suitable places he could find are these four sites. He says that there are no suitable *Kandukrishi* lands near Government offices. I therefore thought that the next best thing to do was to find *Kandukrishi* lands for housing Pakuthi offices. There is another advantage in this scheme. The offices can be built on the sites and the premises could be made use of for shelter. The Pakuthi staff, who are mainly responsible for flood relief work, will always be available for the purpose. The cost would also not be much. I am sorry I have not got the area of each site. The idea is to manage with these four places for the present.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): May I know when this scheme would be started?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I cannot say that. My last letter to Government

making specific recommendations for four sites, was sent on the 21st April, that is four days ago. We recognised how necessary it is to have these raised places during times of flood. I myself have been to the flood-affected localities two years ago.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): Would it be possible to finish the work before the next flood?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I quite realise the necessity of doing it; and Government are quite anxious to get on with it. But I cannot say now when it would be started. The Public Works Department will have to make an estimate for the work. Sir, Government accept the principle of the resolution. But it is not possible to accept the resolution in its present form as it lays down certain restrictions. I am sure the member will not press it. The idea of the Government is the same as that of the member. We want to do the work as soon as possible. Under these conditions, I hope the member will withdraw the resolution.

MR. A. THANU PILLAI (*Trivandrum*): Who prepared the estimates for each one of these raised grounds?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): The estimates have not yet been prepared. The Public Works Department will prepare them.

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): മിസ്റ്റർ പണിക്കർ അവതരിപ്പിച്ച പ്രമേയത്തെ ഞാൻ പിൻതാങ്ങുന്നു. ഈ സഭയിൽ നിന്നും അനുദ്യോഗസ്ഥസാമാജികന്മാർ ഉൾപ്പെട്ട ഒരു കമ്മിററി ഏർപ്പെടുത്തി തുടരെ തുടരെ ഉണ്ടായിക്കൊണ്ടിരിക്കുന്ന വെള്ളപ്പൊക്കത്തിന് ഒരു നിവാരണമാർഗ്ഗം ഉണ്ടാക്കണമെന്നു ഞാൻ ഒരു പ്രമേയം അയച്ചിരുന്നു. അതു് ഈ സഭയിൽ അനുഷ്ഠിച്ചുവരുന്ന പദ്ധതിയനുസരിച്ചു് ഈ പ്രാവശ്യം വന്നുചേർന്നില്ല.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*): Does not the member think that a committee will delay matters?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): അതിനെസംബന്ധിച്ചു് എനിക്കു ചില കാര്യങ്ങൾ പറയാനുണ്ടു്. ദീനം വന്നതിനുശേഷം ചികിത്സിക്കുന്നതിനേക്കാൾ ദീനം ഉണ്ടാകാതിരിക്കാൻഉള്ള മാർഗ്ഗങ്ങൾ ചെയ്യുകയാണു് ഉത്തമമായിട്ടുള്ളതു്. അതുപോലെ വെള്ളപ്പൊക്കം ഉണ്ടാകാതിരിക്കാനുള്ള മാർഗ്ഗങ്ങളാണു് അവിടെ ചെയ്യേണ്ടതു്.

DEPUTY PRESIDENT: അതുകൊണ്ടു് ഉടനടി നിവാരണംഉണ്ടാക്കാൻ സാധിക്കുമോ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): ഉടനടിതന്നെ സാധിക്കും.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : വെള്ളപ്പൊക്കം ഉണ്ടാകാതിരിക്കുന്നതിനു മെംബർ വല്ല മാർഗ്ഗവും കണ്ടുപിടിച്ചിട്ടുണ്ടൊ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : ഉണ്ട്. വെള്ളപ്പൊക്കം ഉണ്ടാകാതിരിക്കാൻ മാർഗ്ഗമുണ്ടെങ്കിൽ അതാണ് അത്യാവശ്യമായിട്ടുള്ളതു്. അതു വളരെ വേഗം ചെയ്യേണ്ടതുമാണ്. കുട്ടനാടിന്റെ കാര്യം മാത്രമാണ് ഇവിടെ പറഞ്ഞതു്.

MR. A. THANU PILLAI (*Trivandrum*) : വെള്ളപ്പൊക്കം ഉണ്ടായിതുടങ്ങിയിട്ട് എത്രകൊല്ലമായി?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : ൧൦൬൭-ലും ൧൦൬൮-ലും ൧൦൯൯-ലും ൧൧൦൪-ലും മററും വെള്ളപ്പൊക്കം ഉണ്ടായിട്ടുണ്ട്.

MR. A. THANU PILLAI (*Trivandrum*) : അങ്ങിനെ തുടരെ ഉണ്ടായിതുടങ്ങിയിട്ട് എത്രകാലമായി?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) ; ൧൦൯൯-മുതൽ തുടരെ ഉണ്ടാകുന്നുണ്ട്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ൧൦൯൯-നു മുമ്പിൽ വെള്ളപ്പൊക്കം ഉണ്ടായിരുന്നില്ലേ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : ൧൦൬൭-ൽ ഉണ്ടായിരുന്നു. അതു ചരിത്രപ്രധാനമായ ഒരു സംഗതിയാണ്.

MR. M. GOVINDAN (*Nominated*) : മെംബർ പറയുന്നതുപോലെ ഒരു കമ്മിററി ഉണ്ടാക്കിയാൽ ഇന്നു ഗവണ്മെന്റു വിചാരിച്ചിരിക്കുന്ന പരിഹാരം നീണ്ടുപോകുകയില്ലെ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : ഗവണ്മെന്റിൽ നിന്നും അതു ചെയ്യാൻ തയ്യാറുണ്ടെങ്കിൽ സാധിക്കുന്നതാണ്.

DEPUTY PRESIDENT : നിങ്ങൾ പറയുന്നതു കുട്ടനാട്ടിനെപ്പററിമാത്രമാണൊ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : അല്ല. അതിന്റെ തീരപ്രദേശത്തിൽ വസിക്കുന്നവരെക്കൂടി ഉദ്ദേശിച്ചാണു ഞാൻ പറയുന്നതു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) . Sir, can the member discuss all that under this resolution ?

DEPUTY PRESIDENT : അതിലേക്കു പ്രത്യേകം പ്രമേയം വേണം.

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : ആ സംഗതിയുംകൂടി ഉൾപ്പെടുത്തിചെയ്യാമെങ്കിൽ ചെയ്യണം എന്നു മാത്രമെ ഞാൻ പറയുന്നൊള്ളു.

DEPUTY PRESIDENT : ഈ പ്രമേയം കുട്ടനാട്ടിനെപ്പററി കൊണ്ടു വന്നതാണ്. അതിനോടുകൂടി വേറെ സംഗതികഠം ചേക്കാൻ പാടില്ല.

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : അതുംകൂടിച്ചേത്തു ചെയ്യേണ്ട ഒരു സംഗതിയായതുകൊണ്ടാണ് ഞാൻ പറയുന്നതു്.

DEPUTY PRESIDENT : വെള്ളപ്പൊക്കം പ്രതിവർഷം കുട്ടനാട്ടിൽ ഉണ്ടാകുന്നതുകൊണ്ടു് അവിടവിടെയായി രണ്ടേക്കർസ്ഥലം പൊക്കിക്കൊടുക്കണമെന്നാണ് പ്രമേയം. ആ സംഗതിക്കു നിങ്ങഠം പറയുന്നതിനും തമ്മിൽ സംബന്ധമില്ല.

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): ഞാൻപറഞ്ഞ സംഗതിക്ക് പ്രത്യേകമായ ഒരു പ്രയത്നം കൂടാതെ സാധിക്കാവുന്നതാണു. കുട്ടനാട്ടിലെ തറയെ പൊക്കാതെതന്നെ അവിടത്തെ വെള്ളംപോകുന്നതിനുള്ള മാർഗ്ഗമാണു ഞാൻ പറയുന്നതു്. അതു വളരെ വേഗം പ്രായോഗികത്തിൽ വരുത്താവുന്നതുമാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): മെംബർ ഈ പ്രമേയത്തെ എതിക്കുകയാണൊ ചെയ്യുന്നതു്?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : അല്ല. ഇതു സാധിക്കാവുന്നതാണ്. രോഗം വരാതിരിക്കാൻ മാർഗ്ഗമുണ്ടെങ്കിൽ അതാണു ചെയ്യേണ്ടതു്.

DEPUTY PRESIDENT : ഈ പ്രമേയത്തെസംബന്ധിച്ചു് എന്തെങ്കിലും പറയുവാനുണ്ടെങ്കിൽ പറയുക. നിങ്ങളുടെ പ്രമേയം ആലോചനക്കു വരുമ്പോഠം അതിനെപ്പററി പറയാം.

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : ഇതിനേയുംകൂടി ഉഠംപ്പെടുത്തിച്ചെയ്യാൻ മാർഗ്ഗം ഉണ്ടെങ്കിൽ അതു ചെയ്യണമെന്നെ ഞാൻ പറയുന്നൊള്ളു. അല്ലെങ്കിൽ കുട്ടനാട്ടിലെ തല്ക്കാല ആവശ്യത്തിനായി അവതരിപ്പിച്ചിട്ടുള്ള ഈ പ്രമേയത്തെ ഞാൻ അനുകൂലിക്കുന്നു. പക്ഷെ ഈ സംഗതിയുംകൂടി ആലോചിക്കേണ്ടതാണ്. കിഴക്കും പടിഞ്ഞാറും ഉള്ള ദേശക്കാക്കു പ്രയോജനമുള്ള സംഗതിയാണ് ഇതു് അതിനെപ്പററി കൃനാൽ റിപ്പോർട്ടിൽ വിദഗ്ധാഭിപ്രായം പറഞ്ഞിട്ടുണ്ടു്. അതു പ്രായോഗികമല്ലെങ്കിൽ മിസ്റ്റർ പണിക്കരുടെ അഭിപ്രായത്തോടുകൂടി ഞാൻ യോജിക്കുന്നു.

MR. S. KRISHNA PILLAI (*Karunagapalli*): കുട്ടനാട്ടിലെസ്ഥലം പൊക്കാതെ വെള്ളംപ്പൊക്കം ഉണ്ടാകാതിരിക്കുന്നതിനു് വല്ലമാർഗ്ഗവും അറിയാമൊ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*) : അറിയാം. ഞാൻ അതിനെ രണ്ടുമൂന്നു പ്രജാസഭകളിൽ പ്രസ്ഥാവിച്ചിട്ടുമുണ്ടു്. പഴയ

[Mr. K. I. Kocheeppan Mappillai.]

കാലത്തു പുറക്കാട്ട് ഒരു പൊഴിഉണ്ടായിരുന്നു. അതിനെ തുറന്നുവിട്ടന്നതായാൽ കുട്ടനാട്ടിൽ വെള്ളംകെട്ടിനിൽക്കാതെ ആകുന്നതാണ്. പെരിയാറും മണിമലയാറും സംബന്ധിക്കുന്നസ്ഥലത്ത് ബലവാനും ബലഹീനനും പിടിച്ചാൽ ബലഹീനൻ തോല്ക്കുന്നതുപോലെ ഈ വെള്ളത്തെ അങ്ങോട്ടു വിടുന്നില്ല. ഹാർബർ സ്കീം ഉള്ളതുകൊണ്ടും വെള്ളം തിങ്ങിനില്ക്കുന്നു. ആ വെള്ളം കടലിൽ പോകുന്നതിനു മാർഗ്ഗം ഉണ്ടാക്കിക്കൊടുത്താൽ വളരെ ഗുണമുണ്ട്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഈ രണ്ടാറും എവിടെവച്ചു സന്ധിക്കുന്നു ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): വേമ്പനാട്ടുകായലിൽവച്ചാണു സന്ധിക്കുന്നത്. മണിമല ആററിലുള്ള കറാപ്പുഴ ആററിൽ ഒരു തോടു വെട്ടിചേർക്കണമെന്ന് ഒരു സ്കീം വന്നിട്ടുണ്ട് അതുംനല്ല ഒരു മാർഗ്ഗമാണ്.

MR. A. THANU PILLAI (*Trivandrum*): പെരിയാററിലേയും മണിമലയാററിലേയും വെള്ളം കായലിലല്ലേ വീഴുന്നത്?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): അതെ.

പമ്പാനദിയും മണിമലയാറും ഒരുമിച്ചു സന്ധിക്കുന്നസ്ഥലത്ത് ഒരുപൊഴിയുണ്ടാക്കിയാൽ വെള്ളം എളുപ്പംപുറത്തുപോകുന്നതാണ്.

DEPUTY PRESIDENT: ഇപ്പോൾ കൊണ്ടുവന്നിരിക്കുന്ന പ്രമേയത്തെപ്പററി വല്ലതും പറയാനുണ്ടെങ്കിൽ പറയുക.

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): എന്തെല്ലാം മാർഗ്ഗമുണ്ടെന്നു ചോദിച്ചതുകൊണ്ടു പറഞ്ഞതാണ്.

കുട്ടനാട്ടിലെക്കാൾ അതിഭയങ്കരമായ കഷ്ടത അനുഭവിക്കുന്നതു പമ്പാ, മണിമല ഇവയുടെ തീരവാസികളാണ്. "മൂപ്പത്തൊരുക്കോലെ മുക്കോൽ" എന്നു് അവിടെ ഒരു പഴഞ്ചൊല്ലുണ്ടു. പടിഞ്ഞാറൻ പ്രദേശത്തുള്ളവക്കു വളരെ ലഘുവായിട്ടെ കഷ്ടതയുണ്ടാകുന്നുള്ളു. വെള്ളം കെട്ടിയാൽ ഒഴിഞ്ഞുപോകുന്നതിനു യാതൊരു മാർഗ്ഗവുമില്ലാതെ കഷ്ടപ്പെടുന്നതു കിഴക്കൻ പ്രദേശക്കാരാണ്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): ഏതു സ്ഥലത്തുകാക്കാണു മുക്കോൽ എന്നു് സങ്കല്പിച്ചിരിക്കുന്നതു്. തിരുവല്ലാക്കാക്കാണൊ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): അതെ.

മിസ്റ്റർ ഗോവിന്ദൻ മരണം ഉണ്ടായിട്ടുണ്ടോ എന്നു ചോദിച്ചു. കൃഷിസമയത്തുമാത്രം വന്നാൽ എന്താണു് എന്നു ഒാമെംബർചോദിച്ചു. ഇവർക്കു് അതിനെക്കുറിച്ചു് ഒരു നിശ്ചയവുമില്ല എന്നു് ഇതുകൊണ്ടു് അനുമാനിക്കാം. മരണമുണ്ടോ എന്നു ചോദിച്ചാൽ ഹൃദയമുള്ളവർക്കു സഹിക്കാൻപാടില്ലാത്ത ഒരു സംഭവം ഞാൻ കണ്ടു. ഒരു പുരമുഴുവൻ ഒഴുകിപ്പോകുന്ന അവസരത്തിൽ പുരയ്ക്കകത്തിരുന്നുകൊണ്ടു പ്രാണരക്ഷക്കായി കൈകാണിച്ചു വിളിക്കുന്നു. അല്പംകഴിഞ്ഞു വെള്ളത്തിൽതാഴുന്നു. ഇങ്ങനെയുള്ള അനേകസംഭവങ്ങൾ ഉണ്ടായിട്ടുണ്ടു്. കുട്ടനാട്ടിന്റെ കാര്യമാണു് ഈ പ്രമേയത്തിൽ പറയുന്നതു്. അതിനോടു സംബന്ധിച്ചു് ഈ സംഗതിയും ആലോചിച്ചു വേണ്ടഭേദഗതിചെയ്യാൻ കഴിയുമെങ്കിൽ ദ്രവ്യയം കൂടാതെ രണ്ടുകൂട്ടർക്കും ഒരുപോലെഗുണം കിട്ടുന്നതാണു്. അതിനു സാധിച്ചില്ലെങ്കിൽ കുട്ടനാട്ടുകാരുടെ ഈ കാര്യത്തെ അവിടെ വെള്ളപ്പൊക്കമുണ്ടായാൽ അഞ്ചും ആറും ദിവസം ഞങ്ങളെയാണു് അവർ ഉപദ്രവിക്കുന്നതു്. സാധിച്ചുകൊടുക്കുന്നതുകൊണ്ടു ഞങ്ങൾക്കു വിരോധമില്ല. മിസ്റ്റർ പണിക്കരുടെ പ്രമേയത്തെ ഞാൻ ഹൃദയപൂർവ്വം അനുകൂലിക്കുന്നു.

DEPUTY PRESIDENT: Have you anything to say, Mr. Westerdale?

MR. J. S. WESTERDALE (*Chief Engineer*): Sir, I have nothing to say on the subject now.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): We cannot hear him.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): We cannot hear him at all.

MR. J. S. WESTERDALE (*Chief Engineer*): If the Government decide that the work should be carried out, of course, *we* would be the agency to carry out the work and we will do it as quickly as possible. I may say that, in regard to the necessity for this work, there is absolutely no difference of opinion.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): What would be the approximate cost of raising one such platform?

MR. J. S. WESTERDALE (*Chief Engineer*): I have not got the information before me now. We are awaiting instructions from the Government on the report which the Land Revenue Commissioner has just submitted to them. As soon as we are asked to prepare an estimate for the work we will do it. I am sorry, just now I have not got the data before me as to the cost of the work. My own idea is that one such platform may cost about Rs. 20,000. I may say it is only a very approximate estimate that I have made.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): We cannot hear anything of what Mr. Westerdale says.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): What, according to the member, would be the cost of raising one acre of land to a height of about 6 feet?

MR. J. S. WESTERDALE (*Chief Engineer*): I have already stated that no estimate has yet been made. The matter has not yet reached that stage.

MR. A. THANU PILLAI (*Trivandrum*): Mr. Robinson was saying that the total cost would come to about Rs. 1,20,000. Mr. Westerdale now says that *each one* of these platforms would cost about Rs. 20,000.

MR. J. S. WESTERDALE (*Chief Engineer*): I think Mr. Robinson was giving the cost of six plots of ground when he said that the total cost would come to about Rs. 1,20,000.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മെംബർ കുട്ടനാട്ട് എപ്പോഴെങ്കിലും സന്ദർശിച്ചിട്ടുണ്ടൊ?

MR. J. S. WESTERDALE (*Chief Engineer*): I have visited Monkompu in company with the Dewan in connection with flood relief work.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സർ, ഒന്നും തന്നെ കേൾക്കാൻ നിവൃത്തിയില്ല.

DEPUTY PRESIDENT: Mr. Westerdale says that he has gone to Monkompu.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മങ്കൊമ്പിൽ മാത്രം ഒരിക്കൽ പോയതുകൊണ്ടു കുട്ടനാട്ടിനെപ്പററി യാതൊന്നും മനസ്സിലാക്കുവാൻ കഴിയുകയില്ല. അതുകൊണ്ടാണ ചീഫ് ഇഞ്ചിനീയർ തെററായി കണക്കുകൾ പറയുന്നതു്.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): Sir, in the light of the assurance given by the Land Revenue Commissioner, that the Government have accepted the principle of the resolution and that the work would be started as soon as possible, I withdraw the resolution.

MR. A. THANU PILLAI (*Trivandrum*): Is the sum-total of what the Chief Engineer and the Land Revenue Commissioner said the same? The Chief Engineer seems to think that one plot would cost about Rs. 20,000.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): It is undoubtedly an over-estimate; that is my own personal opinion.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know from the member whether he would be satisfied with six raised grounds for the whole of Kuttanad?

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): For the present, I think that will be sufficient.

I withdraw the resolution.

DEPUTY PRESIDENT: Do you consent to the withdrawal, Mr. Joseph Kunju?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ചീഫ്ഇഞ്ചിനീയരുടെയും മിസ്റ്റർ റാബിൻസന്റെയും മറുപടി തൃപ്തികരമായിരിക്കുന്നില്ല. അമ്പലപ്പുഴ താലൂക്കിൽ മൂന്നു നാലു സ്ഥലം പൊക്കിക്കൊടുക്കാമെന്നു പറയുന്നതുകൊണ്ടാണു മിസ്റ്റർ പണിക്കർ ഈ പ്രമേയത്തെ പിൻവലിക്കാൻ തയ്യാറായതു്. ചങ്ങനാശേരിയിൽ ഒരു സ്ഥലവും പൊക്കി തരാമെന്നു പറഞ്ഞിട്ടില്ല. അതുകൊണ്ടു പ്രമേയത്തെ പിൻവലിക്കുന്നതിനു് എനിക്കു് അശേഷം സമ്മതമില്ല.

DEPUTY PRESIDENT: Mr. Robinson has said that, as funds permit, Government propose to do it. In the light of that, do you allow the motion being withdrawn, Mr. Joseph Kunju?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ചങ്ങനാശേരി താലൂക്കിൽ ഏതെങ്കിലും സ്ഥലം ഉയർത്തി തരാമെന്നു ചീഫ്ഇഞ്ചിനീയർ പറഞ്ഞിട്ടില്ല.

MR. S. C. H. ROBINSON (*Land Revenue and Income-tax Commissioner*): Sir, I ask for a ruling. When the mover has withdrawn his motion, can the seconder object to it?

DEPUTY PRESIDENT: Oh yes, he can. Any member can object to the withdrawal. The seconder has as much responsibility for the resolution coming before the Council as the mover; and, as such, I think he *has* the right to object.

MR. K. GEORGE (*Chief Secretary to Government*): The House has to permit the withdrawal of every motion.

DEPUTY PRESIDENT: Does Mr. Robinson confine his promise to the Ambalapuzha taluk alone? Mr. Joseph Kunju considers the promise of Mr. Robinson to mean that these raised areas would be made available only for the Ambalapuzha taluk and not for the Changanachery taluk. Is that the position of Government? Or, does he mean that, as funds permit, this necessary convenience would be provided in every taluk in Kuttanad?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): What I stated is that the principle raised by Mr. Panikkar is exactly what we are trying to do, that is, to provide raised grounds in the Kuttanad area to serve as places of refuge in times of flood. And, we have selected four sites to start with. We want to get on with the work as soon as possible. The original proposal was to have two such raised places in each *pakuthi*. But, that is a very big scheme especially in these times of economic depression. And, as our aim is the same as that of Mr. Panikkar and as we want to do the work as soon as possible, I hope the House will allow Mr. Panikkar to withdraw his resolution.

DEPUTY PRESIDENT: Does the promise extend to the Changanachery taluk also? That seems to be the difficulty of Mr. Joseph Kunju.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): We have selected four places to start with. I cannot say anything more than that just at present.

DEPUTY PRESIDENT: As funds permit, are the Government prepared to extend the scheme also to other parts of the Kuttanad? That is what Mr. Joseph Kunju wants to know.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Wherever it is essential and necessary, such grounds would be erected one after another as funds permit.

DEPUTY PRESIDENT: Does Mr. Robinson say then, that it is *not* necessary for the Changanachery taluk?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I do not say anthing like that; because it does not arise from the resolution.

DEPUTY PRESIDENT: So, Government are not prepared to hold out any promise in regard to the Changanachery taluk?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I am not in a position to hold out any definite promise like that.

DEPUTY PRESIDENT: I suppose portions of the Kuttanad area are comprised in the Changanachery taluk also?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): As funds permit and as necessity arises, we shall try to extend the scheme. Government are as much concerned with the lives of the people as the people themselves. We will try to do what we can.

DEPUTY PRESIDENT: In the light of the assurance given by Mr. Robinson, what do you say, Mr. Joseph Kunju?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ചങ്ങനാശേരി താലൂക്കിലും രണ്ടു സ്ഥലം ഉയൎത്തിതരാമെന്നു ഗവൺമെൻറു വാഗ്ദാനം ചെയ്യുന്നതുവരെ പ്രമേയത്തെ പിൻവലിക്കാൻ നിവൃത്തിയില്ല.

DEPUTY PRESIDENT: അതിലേക്ക് ആവശ്യമുള്ള പണം ഉണ്ടോ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): പണമുണ്ട്. പണമുണ്ടെങ്കിലും ഇല്ലെങ്കിലും വരുന്ന വെള്ളപ്പൊക്കത്തിനുമുമ്പു ചങ്ങനാശേരിതാലൂക്കിലും രണ്ടുസ്ഥലം ഉയൎത്തിത്തരാമെന്നു വാഗ്ദാനം ചെയ്യുന്നതുവരെ ഈ പ്രമേയത്തെ പിൻവലിക്കാൻ പാടില്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): അതിലേക്കുള്ള പണം ജനറൽഫണ്ടിൽനിന്നുമാണോ അതല്ലാ വേറെ ഇനത്തിലുള്ള പണമാണോ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ജനറൽഫണ്ടിൽ നിന്നു വേണം.

MR. M. GOVINDAN (*Nominated*): വരുന്ന വെള്ളപ്പൊക്കസമയത്തു എന്നുപറയുമ്പോൾ ദീർഘകാലമായിപ്പോകുകയില്ലെ?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സമ്മതമുള്ള പക്ഷം അതിനു രണ്ടാഴ്ചയൊ മൂന്നാഴ്ചയൊ താമസംമാത്രമെ വേണ്ടിവരികയൊള്ളു.

DEPUTY PRESIDENT: So, even after the assurance given by Mr. Robinson, you are for putting the resolution to vote?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): Yes, Sir.

DEPUTY PRESIDENT: Now, Mr. Joseph Kunju may be treated as the mover, as the mover has withdrawn.

MR. K. GEORGE (*Chief Secretary to Government*): The question now is whether the *House* permits the mover to withdraw his resolution.

DEPUTY PRESIDENT: Precedents on the question of withdrawal have been represented to me to be that when a member withdraws, the withdrawal has to be accepted by the House, and that on former occasions that practice has been followed, although the practice elsewhere is different. But I should like to stick on to the precedents of *this* House; and so, I put it to the House the question whether the House is agreeable to the withdrawal of the resolution?

The question, that Mr. Padmanabha Panikkar may be allowed to withdraw his resolution, was then put to the vote of the House and carried.

The resolution was, by leave, withdrawn.

RESOLUTION RE PROHIBITION OF THE KILLING OF COWS.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Sir, I beg to move the following resolution.

"This Council recommends to the Government that the killing of cows in the State be prohibited."

In moving this Resolution, I do not wish to make a long speech, because more than once this resolution—

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the member includes bulls also?

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): The Resolution, as it stands, refers only to cows. I do not know whether "cows" includes bulls also, as man includes woman.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I want to know the member's idea specifically.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): I intend only cows. I do not want to make a long speech, because this resolution has been discussed on the floor of this House more than once. I admit that there is a religious aspect of the question. But the chief reason which induced me to introduce this resolution is that, considering the usefulness of the cow in various ways, Government should prohibit the

[Mr. K Krishnan Nayar.]

killing of cows in this State. I do not know whether any other Government has made such prohibition in regard to the killing of cows. If my information is correct, I think the Kashmir Government has made such a prohibition. So, there is at least one State which has moved in this matter.

With these words, I place the resolution for the consideration of the House.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : I second the resolution.

MR. M. GOVINDAN (*Nominated*) : I rise to oppose the resolution. I suppose my friend Mr. Krishnan Nayar realises the fact that beef is an article of food for a considerable section of the population of Travancore. The respect with which the cow is held by the—

MR. RAMA VARMA RAJA (*Edavagai*): ഭക്ഷണത്തിനാണെങ്കിൽ കാളയുടെ മാംസമായാൽ പോരെ ?

MR. M. GOVINDAN (*Nominated*) : As man includes women, cow includes bull also.

Sir, the cow is regarded as a symbol of prosperity by the agricultural population.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : Am I to understand that the only ground for the member to advocate the extermination of cows is that beef is an article of food ?

MR. M. GOVINDAN (*Nominated*) : No; if my friend would patiently hear me, he will understand my point. The cow is regarded with some respect by the Hindus. But, in Travancore, our population consists not only of Hindus but of Christians and Mahomedans, and also of some Europeans who have settled down here either as planters or as officers.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is it the opinion of the member that all Christians are beef-eaters ?

MR. M. GOVINDAN (*Nominated*) : Not necessarily; nor are all Hindus non-beef-eaters.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Is it the member's opinion that these people cannot survive without beef ?

MR. M. GOVINDAN (*Nominated*) : It is not exactly that. Suppose the plucking of ചീര is prohibited, certainly the people can get on without it. Still, I am sure it would be considered a source of great hardship by the people. The question is more or less like that in the case of the prohibition of the killing of cows. After all, it seems to me nothing but mere sentimentalism on the part of some among the Hindus to attach so much of sacredness to the cow. I would draw the attention of the House to the fact that, even now, when there is no prohibition of the killing of cows, we find a good number of useless, disabled and unhealthy cows surviving to the detriment of the healthy section of the species. It is well-known that the fodder of cattle is very limited in Travancore. Therefore, if the killing of cows is

prohibited, the result would be, that the large number of old, barren, useless cows would survive consuming a good portion of the valuable fodder now available for the healthy cows.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): What is the best use to which, in the opinion of the member, the cow can be put? Is it its beef, or its usefulness for agricultural purposes?

MR. M. GOVINDAN (*Nominated*): It is useful in both ways. Sir, after all the object with which we carry on agriculture is to get articles of food. If we can get our food direct by killing the cow or the sheep, then why go about in a round-about manner and trouble ourselves with all the elaborate process of agricultural operation? (*Laughter.*)

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): According to the member, which is more important, agriculture or beef?

MR. M. GOVINDAN (*Nominated*): Both are equally important.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Does not the member consider that Travancore is an agricultural State?

MR. M. GOVINDAN (*Nominated*): As I have already stated, if you can get beef direct, why should you go through the process of cultivation?

DEPUTY PRESIDENT Mr. Govindan, do you want the killing of cows to be substituted for agriculture?

MR M. GOVINDAN (*Nominated*) I am not suggesting that the cow can be made an article of food for all classes of people. I myself have my own sentimental objection in the matter. But my point is that the mere fact that a section of the population have some sentiments in a matter should not induce the House to compel nearly fifty per cent. of the people to forego one of their chief articles of food.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): May I remind the member that I did not emphasise the religious aspect of the question as much as the agricultural aspect?

MR. M. GOVINDAN (*Nominated*). Even in regard to the agricultural aspect, as I have already stated, what is the use of the old, barren cows? Why not they be killed so that the healthy and useful milch cows might be able to get the necessary fodder?

MR. A. THANU PILLAI (*Trivandrum*): May I know from the member whether it is good beef that these old barren cows yield?

MR. M. GOVINDAN (*Nominated*): The fact that a cow has become barren and unserviceable does not in the least affect its beef.

Sir, if the killing of these barren cows is prohibited, what is it that we can do with them? We will have to bury them alive, I suppose.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know from the member whether he would support the resolution if the prohibition is restricted to the killing of the useful, healthy cows?

MR. M. GOVINDAN (*Nominated*): Then, difficulties will arise as to whether a particular cow is useful and healthy or not.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Has Mr. Govindan no objection to unhealthy cows being killed for beef.

MR. M. GOVINDAN (*Nominated*): I do not think there is any serious objection to that, because when the beef undergoes purification through fire it will be rid of all diseases.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If workable methods of deciding whether a cow is healthy or un-healthy, are found out, has Mr. Govindan any objection to accept the resolution so far as the killing of healthy and useful cows are concerned?

MR. M. GOVINDAN (*Nominated*): That is a hypothetical proposition. Personally, I am of opinion that there will be great practical difficulties in deciding that question in the case of each and every cow.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member know of any complaint that healthy and useful cows are being killed?

MR. M. GOVINDAN (*Nominated*): Absolutely none, so far as I know. In fact I have not heard of any complaint about the killing of cows, except when I now heard Mr. Krishnan Nayar speak on this resolution. Everybody seems to be satisfied with the present condition; and I know even among Hindus there are many who have no objection to cows being killed and the beef being eaten.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): On what authority does the member base that statement of his? This is the second time that he makes that statement.

MR. M. GOVINDAN (*Nominated*): I have known many of my own Hindu friends who have absolutely no objection to eat beef. I myself have eaten beef. And I may assure the House that it is almost as good as mutton. (*Laughter.*) I do not see any objection to it.

DEPUTY PRESIDENT: Mr. Govindan, are you not going beside the the point?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): എല്ലാ മാംസങ്ങളിലും വച്ച് പശുമാംസത്തിന രുചി കൂടുതലാണൊ ?

MR. M. GOVINDAN (*Nominated*): ഏറെക്കുറെ മററുമാംസങ്ങളെപ്പോലെ ഇതും രുചിയുള്ളതാണെന്നാണ് എന്റെ അഭിപ്രായം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does not the member think that the eating of the beef of unhealthy cows is injurious to the health of the eater?

MR. M. GOVINDAN (*Nominated*): Sir, I would rather leave that matter to be discussed by the two doctors we have in this House, on the non-official side itself.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the member's opinion on the matter?

MR. M. GOVINDAN (*Nominated*): I do not pretend to know much of medicine.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Is the member averse to taking the advice of the doctor on the official side?

MR. M. GOVINDAN (*Nominated*): I do not think I need answer that question, Sir.

As I stated at the outset, it is purely a question of sentiment.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): May I again correct the member? I did not emphasise that aspect of the question at all.

MR. M. GOVINDAN (*Nominated*): Sir, I have dealt with the economic and agricultural aspects of the question. To me, it seems that it is mainly a question of weak sentimentalism. I therefore, strongly oppose the resolution.

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): മിസ്റ്റർ കൃഷ്ണൻനായർ ഇവിടെ അവതരിപ്പിച്ച പ്രമേയത്തോടു ഞാൻ അനുകൂലിക്കുന്നില്ല. അതിനു കാരണം ഈ പ്രമേയം പാസ്സാകുകയാണെങ്കിൽ അതു മനുഷ്യന്റെ ആത്മാവിനും ശരീരത്തിനും വളരെ ഹാനിയുണ്ടാക്കുന്നതാണ്. ഗോമേധം, അജമേധം, കുക്കുടമേധം ഇങ്ങനെ അനേകവിധത്തിലുള്ള മേധങ്ങൾ ഹിന്ദുക്കൾക്കു നടത്തേണ്ടതായിട്ടുണ്ടു്. അതുപോലെ വാഗ്ഭടൻ മുതലായ മഹർഷിമാർ ഗോരസം അജമാംസം ഇവകൾ ചേന്ന രസായനം പല രോഗങ്ങൾക്കും പ്രതിവിധിയായി പറഞ്ഞിട്ടുണ്ടു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഗോരസം എന്നു് പറയുന്നതു് ഇറച്ചിയാണോ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): അല്ലെങ്കിൽ ഗോമാംസരസായനം ആയിക്കൊള്ളട്ടെ.

MR. M. MAHOMED MUSTAPHA (*Commerce and Industry, South*): മെമ്പർ രാമായണം വായിച്ചിട്ടുണ്ടോ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): ഉണ്ടു്.

MR. M. MAHOMED MUSTAPHA (*Commerce and Industry, South*): രാമായണത്തിൽ ഗോമേധം ചെയ്യണമെന്നു പറഞ്ഞിട്ടുണ്ടോ? അതിനെ നിരോധിക്കുകയല്ലേ ചെയ്തിരിക്കുന്നതു ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): ആത്മാവിന്റെ തൃപ്തിക്കായി യാഗം വിധിച്ചിട്ടുണ്ടു്. അതിൽ പശുക്കളും ഉൾപ്പെടുന്നു.

ഗോമാംസത്തെ ഉപയോഗിക്കുന്നതിനെപ്പററി ചിലർ ഇവിടെ പറഞ്ഞു. ചിലരെ സംബന്ധിച്ചു അതു പരസ്യമായ ഒരു പരസ്യവും ചിലരെ സംബന്ധിച്ചു രഹസ്യമായ പരസ്യവും എന്നു മാത്രമെയുള്ളു അതിന്റെ വ്യത്യാസം. ഗോമാംസം പല പ്രകാരത്തിലും പലരും ഉപയോഗിച്ചു വരുന്നു. ഈ പ്രമേയം നടപ്പിൽ വന്നാൽ ആത്മാവിനു കുഴപ്പവും ശരീരത്തിനു ഹാനിയും ഉണ്ടാകും.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): മാംസം ശരീരത്തിനു കൂടിയേ തീരു എന്നുള്ളതാണോ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): ആത്മാവിനെ സംബന്ധിച്ചാണു് അതിന്റെ കൂടുതൽ പ്രയോജനം.

MR. RAMA VARMA RAJA (*Edavagai*): മാംസം മരുന്നുകൾക്കു ഉപയോഗിക്കുന്നുണ്ടോ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): ഉപയോഗിക്കുന്നുണ്ടു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): കന്നുകാലികളുടെ വർദ്ധന കൃഷിയുടെ അഭിവൃദ്ധിക്കു അത്യാവശ്യമാണെന്നറിയാമോ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*). അതെ.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ആരോഗ്യമുള്ള പശുക്കളെ കൊല്ലുന്നതു നല്ലതാണോ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): അല്ല. എന്നാൽ പ്രസവിക്കാത്ത പശുക്കളെക്കൊണ്ടു വേറെ പ്രയോജനമില്ല.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): ഇത്ര ഉപയോഗമുള്ള ജന്തു വേറെ ഉണ്ടോ?

MR. K. I. KOCHEEPPAN MAPPILLAI (*Nominated*): അവസ്ഥാന്തരത്തിൽ ഇതിനെറം കൂടുതൽ ഉപയോഗം ഉള്ളതുമുണ്ടു്.

ആത്മാവന്നും ശരീരത്തിന്നും ക്ലേശം ചെയ്യുന്ന ഒരു പ്രമേയമാകയാൽ ഞാൻ ഈപ്രമേയത്തെ അനുകൂലിക്കുന്നില്ല.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, I also rise to oppose the resolution. If we closely scrutinise the cattle that are generally slaughtered, we will find that they are the type of cattle that have no right to exist merely to eat away the fodder which is becoming more and more scarce in Travancore—eat away the fodder of the useful cattle in the State. I do not deny that there may be very rare exceptions of good and useful cows also being slaughtered and the flesh eaten. But ordinarily the bulk of the cows that are being slaughtered are barren, old and almost useless for agricultural purposes. I put the specific question to my friend Mr. Krishnan Nayar whether he included bulls also in his resolution, and he said that he did not. Therefore, if it is in the interest of agriculture that he seeks to move this resolution in the House, I may point out that his object cannot be achieved even if his resolution is carried, as he does not intend to include the bull also in his resolution.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): May I point out to the member that it is open to him to bring forward the necessary amendment to the resolution?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Even without the member pointing out to me, I know I can move an amendment to the resolution. If I had considered it necessary, I would have moved the amendment. But I do not think it is so very necessary. That is why I did not do

it. I was submitting, Sir, that the member's argument, that the killing of cows alone must be prohibited in the interests of agriculture in the land, may not hold water, because most of the cows that are generally being killed are practically useless for agriculture, and it is the bulls that have to be protected in the interests of agriculture more than the cow. I could have very well understood my friend's argument if he had included bulls also in the resolution—not that I would have supported the resolution even then; but in that case I could have understood the argument of my friend that it was in the interests of agriculture that he was moving the resolution. As the resolution stands at present, as Mr. Govindan said, it is based on mere sentiment; and I think this House should not allow itself to be carried away by sentiment.

Mr. Krishnan Nayar does not seem to base his argument on the humanitarian ground either.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Why not the member support the resolution on the humanitarian ground?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) I am going to oppose the resolution on the humanitarian ground; because I find that, with all our talk of worshipping the cow as a deity and of performing *namaskarams* to it, nowhere in the world is the cow being treated so harshly and heartlessly, and is kept so ill-fed and half-starved, as it is in India. The observations of Miss Mayo in her book "The Mother India" were written after she saw the big cows in North India. I do not know what she would have stated if she had visited Travancore and seen the miserable condition of our small, half-starved cows. Most of our cows are mere skeletons and are practically not fed at all when they do not yield milk. Under such circumstances, it is I think much better that they are killed than that they should be allowed to wander about, half-starved, as a source of perpetual nuisance to the people. I do not think that there is any humanitarian motive in allowing our cows to eke out............

MR. A. THANU PILLAI (*Trivandrum*): If so, what about unhealthy, or ill-fed children?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, I am prepared to admit that, I am less of a cosmopolitan in this matter. I *do* draw a clear distinction between animals and men, though, perhaps, logically man also may be an animal.

I may also point out to the House that the prohibition that is sought to be imposed by the resolution would restrict the freedom of a considerable section of the people. The Government, or the majority of this House should not dictate to anybody that he should eat only particular articles of food and should not eat certain others. Everyone can see that the cow is really useful to man; and so long as it is useful, no one would be foolish enough to sell it to the butcher. But when it has become barren and absolutely useless, why not you allow the owner to sell it and make the little money out of it, particularly when it is going to be of use to some one else. I dare say, the condition of our cows would be very much improved if many of our useless cows are slaughtered.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether, on that ground, my friend would recommend the enactment of a legislation *enforcing* the killing of cows?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): If my friend would come forward with a Bill on the subject, I promise to support him heartily.

If the slaughter of cows is absolutely prohibited, all the useless cows that are now being slaughtered will continue to live and to feed upon the small quantity of fodder now available in Travancore for the useful good cows in the State; and the healthy cows are sure to deteriorate on account of the existence of the useless ones. This could be avoided if at least some of the useless cows are dispensed with. And, I do not think it could be suggested that, because those *useless* cows are to be slaughtered the whole species is going to be *exterminated*. If bad cows go, good cows will take their place.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*). Should we not prevent the killing of *good* cows at least?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): We need not do it. No sensible man will sell his useful cow to the butcher. He can get much more for the useful cow from his neighbour than from the butcher.

MR. M. GOVINDAN (*Nominated*): May I remind the member that an identical motion was discussed by the first Council and was then thrown out by a large majority?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Yes, they did so very rightly.

I think there is no point in proposing a resolution like this asking the Government to put on its Statute Book a prohibitory legislation infringing on the freedom of the people. If a man thinks that he must eat beef, I do not see any reason why he should not be allowed to do it. I do not see that either Hinduism or Christianity or Mahomedanism prohibits the slaughter of cows. I think this resolution, and the enactment that it recommends can have only one effect, *viz.*, to create rupture between the different communities in the State, between Hindus and Musalmans, for instance, as they have in British India. There seems to be absolutely no other purpose served by this resolution. We find that even in places where there was a good deal of sentiment in this matter, the people are now coming round and are not pressing their sentiment too far. I think, in the Punjab Legislative Council a resolution has been passed to the effect that no objection should be raised to the slaughter of cows. Sir, when they are going that way it will be bad enough for Travancore if we really exaggerate the sentiment in the matter and attempt to bring about rupture between the different communities in the State. To my mind, it is a highly retrograde step that the resolution recommends. If this resolution is passed and if the legislation is enacted, it might give room for Mr. P. S. Mahomed to come farward with a Bill to give *him* the freedom to kill cows; because, he may consider that a necessity. It is not desirable at all that we should go in for any such trouble. I think we are quite alright at present. I therefore oppose the resolution.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മി. കൃഷ്ണൻ നായർ കൊണ്ടുവന്നിരിക്കുന്ന പ്രമേയത്തെ ഞാൻ ഹൃദയപൂർവ്വം അനുകൂലിക്കുന്നു. ഒരു സമുദായത്തിന്റെ മതപരമായ ആചാരങ്ങളേയുംവികാരങ്ങളേയും ബഹുമാനിക്കേണ്ടതു് ഇതരമതസ്ഥന്മാരുടെയും ചുമതലയാണു്. ഹിന്ദുക്കൾ ഒരു വിശിഷ്ട ജീവിയായി ഒരു ആരാധനവിഷയമായി പരിഗണിച്ചുവരുന്ന പശുവിനെ കൊന്നു തിന്നു് ഹിന്ദുക്കളുടെ മനസ്സിനെ ക്ഷതപ്പെടുത്തണമെന്നു ആരെങ്കിലും ശഠിക്കുന്നതു് കേവലം അനീതിയും, അക്രമവുമാണു്. നാനാജാതി മതസ്ഥരും സ്വൈരമായി ജീവിക്കേണ്ട ഈ രാജ്യത്തു വർഗ്ഗീയമത്സരങ്ങൾക്കും സമുദായങ്ങൾ തമ്മിലുള്ള അകല്ച്ചയ്ക്കും മുഖാന്തിരമായിതീരുന്ന ഈ മാതിരി പ്രവൃത്തികളെ നിയമംമൂലം തടയേണ്ടതു് ഗവണ്മെൻറിന്റെ ചുമതലയാണെന്നാണു് എന്റെ അഭിപ്രായം. ഇറച്ചിതന്നെതിന്നു ജീവിക്കണമെന്നു നിർബന്ധമുള്ളവർ കാളയിറച്ചി തിന്നുകൊള്ളട്ടെ. കാളയിറച്ചിക്കു പശുവിറച്ചിയുടെ ഗുണങ്ങളെല്ലാംതന്നെ ഉണ്ടെന്നു ഒരനുഭവസ്ഥനായ ഞാൻ പറഞ്ഞുകൊള്ളുന്നു. അങ്ങിനെ ഏവർക്കും ഈ പ്രമേയം സ്വീകാര്യയോഗ്യമായിരിക്കണമെന്നു കരുതി വിശാല ഹൃദയത്തോടുകൂടിയാണു് പ്രയോക്താവു് ഈ പ്രമേയത്തെ ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്നതു്. ഈ തത്വങ്ങളെ ആസ്പദമാക്കി ഈ പ്രമേയത്തെ ഞാൻ ശക്തിപൂർവം സർവ്വാത്മനാ അനുകൂലിക്കുകയും ഈ പ്രമേയം ഈ സഭയിൽ സർവ്വസമ്മതപ്രകാരം പാസ്സാകുമെന്നു വിശ്വസിക്കുകയുംചെയ്യുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I oppose the resolution. First of all, I shall try to explain the real implication of the resolution. We have to understand that a cow is always the private property of a man. What is sought to be recommended by this resolution is that the Government should interfere with one of the fundamental rights of owners of private property. It is acknowledged by all systems of jurisprudence that a person should have the right to do anything he likes with his property without, of course doing injury to others.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): ഒരു മനുഷ്യന്റെജീവൻ അവന്റെ പ്രൈവററു് സ്വത്താണോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*)): അങ്ങിനെ വിചാരിച്ചിട്ടില്ല:

A cow is always the private property of a man; and when you say that he shall not kill it, it means you are interfering with his rights.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilankod*): മനുഷ്യന്റെജീവൻ പ്രൈവറ്റുസ്വത്തല്ലെങ്കിൽ പശുവിന്റെജീവൻ പ്രൈവറ്റുസ്വത്താണെന്ന് എങ്ങിനെപറയാം

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Cow and cattle are always considered as a man's private property. That is not the case with human beings, unless you go to ancient days when slavery was prevalent.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): അവയെ നിയമംകൊണ്ടല്ലേ വ്യത്യാസപ്പെടുത്തുന്നതു്?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We are not now concerned with those matters. It is an admitted fact that a cow is the private property of a man; and it is one of the elementary principles of jurisprudence that a man should be allowed to do whatever he likes with his property so long as he does not cause injury to others. The implication of the resolution is that Government should interfere with one's rights over his property.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): But cannot the Government interfere in a matter in which such interference would be for the good of the public?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Legislature may interfere with private rights whenever public interests require it. But the public interests must be so paramount as to overwhelm the private property right. In this matter is there any such public interests? There is none so far as I can see; and none has been urged. And then, the House has to consider, in deciding this question, what are the kinds of cows that are generally killed. It is found that only useless cows are killed.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Is it only the unhealthy cows that are being butchered?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Only cows that are not capable of producing calves, those that have passed the calf-bearing age........

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is that calf-bearing age, please?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I cannot say definitly.

From the information available I find that generally, only cows that have ceased to be useful are slaughtered. If that is accepted as a correct statement, then what the House ....

MR. A. THANU PILLAI (*Trivandrum*): Is it a correct statement? I want to know that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, it is; only barren and useless cows are generally killed.

MR. RAMA VARMA RAJA (*Edavagai*): പ്രയോജനം ഉള്ളതിനേയും കൊല്ലുന്നു എന്നറിയാമൊ,

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): My information is that only barren cows are generally killed. There may be exceptions to every rule; and, in this matter, the exceptions are very rare.

If the killing of these useless cows is to be prohibited, then the question is what is to be done with them? If you tell the owner of such a cow, that he shall not slaughter it or sell it for slaughter, what is it that you expect of him. Should he feed it or starve it. Naturally, he will have to feed it. And, are you not therefore casting a burden on the owner, when you compel him to feed a cow which has ceased to be useful? And will not these *useless* cows share the limited quantity of fodder, now available in this State, with other *useful* cows.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): May I point out to the member that there will be a corresponding increase in the quantity of cattle manure?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not think that will compensate for the fodder consumed.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it not in the interests of the public, that useful cows should not be killed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Useful cows are *not* being killed.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): What is the relative value of fodder and cow-dung? What would be the price of, say, a pound of dung and a pound of fodder?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Had Sirkar Vakil*): I cannot answer that question by reference to statistics. But the dung is comparatively worthless.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, the Law Member said that the loss in the quantity of fodder would not be adequately made up for by the cow-dung yielded by the cow; so, it is highly necessary to have statistics on the relative value of fodder and cow-dung.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If any member is prepared to prove by statistics, that no material loss would result by feeding barren and useless cows, I shall accept the statement. I thought it was well-known that cattle-fodder is much more valuable than the dung yielded. The question is, are we to *prohibit* cow slaughter. If you do it, you are not only interfering with private rights but you are also imposing a burden, a liability on the owner by compelling him to feed useless cows. And after all, what are the grounds on which you are going to prohibit the killing of cows? If the mover of the resolution had raised the religions ground in support of this resolution I could have understood that though I would not have accepted it. It is admitted that

[Mr. Kayalam Paramesvaran Pillai.]

the Hindus regard the cow with veneration. Generally, Hindus do not sell cows to the butcher. But, on that ground, is it suggested that, to satisfy the sentiments of a few people, the Government should interfere with private rights? To satisfy the sentiments of a few people, should the Government dictate to a person, who has the right to enjoy his property in his own way, that he should do only as the Government direct him to do even if it would be a burden on him?

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Was not Her Highness the Maha Rani Regent congratulated by every one, even elsewhere, for stopping animal sacrifice in the Government temples in the State?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That related to the *sacrifices* of animals in the name of religion. That is quite different from the killing of useless cows in the slaughter house.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Was it not an interference with private rights?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not think that it was.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Has the member correctly understood my question?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I shall not travel beyond the scope of the resolution.

MR. A. THANU PILLAI (*Trivandrum*): Does not the stopping of animal sacrifice deprive God of his rights?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That question does not arise, Sir.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Does the member suggest that it is not competent for the Government to introduce legislation prohibiting the slaughter of cows?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Not at all; this Council, I mean the Legislature, can legislate on any matter, except perhaps against such universal truths like the fact that black is not white and *vice versa*.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Is it open to the Government to legislate to the effect that no man shall breathe, for instance?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They can; only it cannot be given effect to.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Am I to understand that the Government are opposing the resolution?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

And then, Sir, if it is argued that on religious grounds it is sinful to kill a cow, may I argue that the religion does not impose a burden on any man to interfere with another man's cows? My idea of

religion is that it does not allow a man to cause any injury to another man. And, this resolution seeks to injure other people's rights over their property.

It was argued, Sir, that healthy cows should be allowed to exist and that some legislation should be passed prohibiting *their* slaughter. First of all, that is not within the scope of the resolution. Secondly, so long as there is no complaint that useful cows *are* being killed and that the economic condition of the country *is* being prejudicially affected, there is no need to legislate against it. Cows are slaughtered mainly for the purpose of food. Therefore, on economic grounds also, there does not seem to be any sense in prohibiting the slaughter of cows. I may even add, that, it is foolish economy to preserve useless cows. The economic wealth of the country depends on the *quality* of the cows and not upon the *number*. An identical resolution was moved in the first council some years back and that was rejected by a majority. It has been stated that, in some countries, the killing of cows has been prohibited by legislation. I have not read the text of those enactments; but there *are* some enactments. But there are more countries where there is no such legislation than those where there *is* such a piece of legislation. When a similar motion came up for discussion in the Council of State, it was rejected on the ground that it sought to impose a burden on individuals, when there was absolutely no expediency or necessity for it. So, the analogies of other countries also do not seem to help the mover of the resolution.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the number of cows in the State, is increasing or diminishing?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is increasing, so far as I know.

MR. A. THANU PILLAI (*Trivandrum*): Is the member speaking of good cows?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In spite of the slaughter, the number seems to be on the increase.

MR. A. THANU PILLAI (*Trivandrum*): Is there a law in Afghanistan hat cows should not be slaughtered?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not seen the enactment myself.

MR. A. THANU PILLAI (*Trivandrum*): What are the grounds on which the killing of cows has been prohibited there?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not know.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether, it is the good cows or useless ones that are being killed here?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Only useless cows, barren cows, are being killed.

MR. A. THANU PILLAI (*Trivandrum*): Does the member base his statement on information furnished by any municipality?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is the information that I have been able to get.

MR. A. THANU PILLAI (*Trivandrum*): From butchers, perhaps?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mr. Govindan and Mr. Kunjukrishna Pillai were also telling us that only useless cows are being killed. Mr. Govindan is a member of a municipality.

MR. A. THANU PILLAI (*Trivandrum*): Was the Trivandrum Municipality consulted in the matter.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No.

MR. A. THANU PILLAI (*Trivandrum*): Any other municipality?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No.

MR. A. THANU PILLAI (*Trivandrum*): Mr. Mahomed's municipality?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Will not the economic wealth of the country be affected if useful cows are killed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I understand that; generally, only *useless* cows are killed.

MR. A. THANU PILLAI (*Trivandrum*): Is it a fact that only *healthy* cows are killed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is the municipality to look into the matter.

MR. A. THANU PILLAI (*Trivandrum*): It is not a question whether the municipality has control over it or not. Is it a *fact* that healthy cows alone are allowed to be killed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Only useless cows are killed.

MR. A. THANU PILLAI (*Trivandrum*): In regard to the cows the killing of which has been sanctioned by the municipality, is it not a fact that only healthy cows are killed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I should think so.

MR. A. THANU PILLAI (*Trivandrum*): Is it not better that the municipalities are asked to certify to the health of the cows, before they are slaughtered?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The municipalities have their own bye-laws in the matter.

I have nothing more to say, Sir, Dr. Kunjan Pillai is going to speak on the motion, and I hope he would be able to furnish statistics on the matter.

MR. A. THANU PILLAI (*Trivandrum*): Is it in the capacity of Census Commissioner or as former Director of Agriculture that he is going to speak?

DEPUTY PRESIDENT: In both capacities, you may take it.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): I am sorry I was not able to follow the mover of the resolution, Mr. Krishnan Nayar. From the subsequent speeches made by some of the members, I understand that he did not oppose it on religious grounds, but only on agricultural grounds. I think I can convince my friend that on agricultural grounds it is inadvisable to prevent the slaughter of cows. Mr. Krishnan Nayar will probably be able to achieve the object which he has in view if he has recommended the prohibition of the slaughter of cows *and bulls*. But he seems to be partial to the cows. "Do not kill any *cow*; but kill as many *bulls* as you like," that is what he says. The present position of the cattle population in Travancore is this. We have only one breeding bull for about 130 cows, whereas in the adjoining Madras Presidency, they have one bull for every 80 cows and even then the number of bulls there is thought to be inadequate. At least one breeding bull for every 50 cows is necessary. We are now far short of bulls.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Are we not increasing the number of bulls?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Please listen to me.

If, now, by legislation, you prohibit the slaughter of cows, those friends of ours who are accustomed to the habit of eating beef will not give up that practice but will take to killing bulls. So, however much we may try to increase them, the number of bulls is sure to go down. What is the position at present? We have 357,779 cows, according to the last Census, which I may say is an increase of about 46,000 from the number in 1921.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): The percentage of increase?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): The member can calculate it himself.

Out of 357,779 cows, nearly 265,000 are dry, and the remaining 92,000 odd are giving milk, so that about 75 per cent. of the cows are dry. They do not give milk.

MR. A. THANU PILLAI (*Trivandrum*): I do not understand what a dry cow is. Is it a cow that has ceased to give milk for the rest of her life?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): A cow is said to be dry during the inter-lactation period. After the birth of a calf she gives milk for some months and then ceases to give milk until the birth of another calf. She is said to be dry during the period she does not give milk.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Are such cows capable of becoming milch cows again?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): They *are* capable of giving birth to calves and becoming milch cows again, provided there are bulls. Already 75 per cent. of our cows are dry. If cow-killing is to be prohibited, more bulls will be killed and as a result, more cows may become dry.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Will it be acceptable to the member if I include bulls also in my resolution ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): I shall consider that question when it comes up in the from of a resolution. The resolution now before the House is regarding the prohibition of cow-slaughter.

MR. A. THANU PILLAI (*Trivandrum*): Suppose a resolution to the effect that bulls also should not be slaughtered is brought up. Will the member support that resolution ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Let Mr. Thanu Pillai send in his resolution, let it be balloted and come up for discussion. I cannot express an opinion on a hypothetical proposition.

If you accept this resolution and give effect to it, no cow will be slaughtered but, as I have said, more bulls will be slaughtered, the number of breeding bulls would be reduced, and consequently you will increase the number of dry cows.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is the number of bulls on the increase ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Not much. Against 280,000 bullocks in 1921, you have 287,000 in 1931 *i. e.*, an increase of only 7,000. So, from the point of view of agriculturist, it is really dangerous to prevent the slaughter of cows, and yet not prohibit the slaughter of bulls.

Another aspect of the question has been discussed by some of the members. After all, the cows that are being slaughthered are not very useful ones. No man, not even a beef-eater, will allow his cow to be slaughtered if she is serviceable to him and is giving him milk. All the cows that are being slaughtered are either barren or quite useless. There may be healthy cows among those that are killed; but to the agriculturist they may not be useful. It is only right and proper that useless cows are slaughtered. Otherwise, they would drain the resources of the agriculturist. When last time this question was discussed in this House Mr. Hoogewerf, then a member of the Council, violently opposed it. He said he had some cows which were of absolutely no use to him and they ate up a good portion of his pension. We know more or less, what the fate of these poor useless cows would be if their slaughter were prohibited. They will not be fed; they will be allowed to starve and die a death of agony. If anybody has advanced religious grounds in support of the resolution, I ask, whether you have provided pinjrapoles where these useless animals would be looked after. I do not think the mover of the resolution has suggested it, nor has anybody else come forward with a proposal to open

pinjrapoles. I can understand the reasonableness of the resolution then In the absence of pinjrapoles, you would only be allowing these poor creatures to suffer, starve and die a death of prolonged agony. Is it not more humane to allow them to be slaughtered than to let them die a death of prolonged agony? Therefore, on humanitarian grounds it is inadvisible to prevent the slaughter of cows.

In the absence of cow-slaughter, as I have already pointed out, bulls will be slaughtered which will reduce the facilities for breeding. Also, you allow the very limited quantity of fodder available in the country to be wasted on these useless cows, as a result of which good cattle will degenerate. On these two important economic grounds also I oppose the resolution.

I now come to the religious aspect of the question. What does the Hindu religion teach us? *Ahimsa Paramo Dharma*, which means that you should not only *not kill*, but that you should not also cause any injury to any living being. In preventing the slaughter of cows and in allowing them to suffer, starve and die a death of agony, you are really not acting up to the tenets of the Hindu religion. So, on religious grounds also, I oppose the resolution.

MR. A. THANU PILLAI (*Trivandrum*): What is the proportion of castrated bulls to non-castrated bulls?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): There are about 2,717 non-castrated bulls in the State, and 287,229 castrated bullocks used for ploughing and drawing carts.

MR. A. THANU PILLAI (*Trivandrum*): Can castrated bulls be used as seed bulls?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*) No; they are used only for ploughing and drawing carts.

MR. A. THANU PILLAI (*Trivandrum*): Can non-castrated bulls be used for ploughing?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Non-castrated bulls can be used for ploughing. But, ordinarily only castrated bullocks are used for ploughing.

MR. A. THANU PILLAI (*Trivandrum*): Is it difficult to increase the number of seed bulls? Has any steps been taken to prevent the fall in the number of seed bulls?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): We are breeding and selling bulls. We are giving grants to those who maintain breeding bulls; and, in every possible way, we are encouraging the maintenance of breeding bulls.

MR. A. THANU PILLAI (*Trivandrum*): Cannot the difficulty suggested by the member, be got over by increasing the number of seed-bulls?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): But, if you do not permit the slaughter of cows, bulls will be slaughtered, and whatever you may do to increase their number, there will be no possibility of having a sufficient number of them to meet the requirements.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Are we importing seed bulls?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Some are imported.

After all, we Travancoreans have lived for centuries and centuries without feeling the necessity for a legislation like this and I do not see why we should have it now. As some members pointed out, it is not going to do any good, while on the other hand, it may do harm and cause communal trouble. We have been living amicably for centuries, and I think it is better that we do not interfere with the freedom of some communities who think, though not on religious grounds, that they should continue to indulge in the habit of eating bull's or cow's flesh. On all these grounds, economic, agricultural, humanitarian and religious, I oppose the resolution.

MR. N JOHN JOSEPH (*Nominated*): ഞാൻ ഈ പ്രമേയത്തെ എതിക്കുന്നു. അതുകൊണ്ടു് അധഃകൃതക്കു് എന്തെങ്കിലും വേണമെന്നു ഞാൻ ഉദ്ദേശിച്ചിട്ടില്ല. ഒരു അധഃകൃതൻ വളത്തുന്ന പശു പോകുന്ന സ്ഥലത്തു കൂടി അതിൻെറ ഉടമസ്ഥനു പോകാൻ പാടില്ലാതെയാണിരിക്കുന്നതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): പട്ടിക്കു എല്ലാ സ്ഥലത്തും പോകരുതോ?

MR. N. JOHN JOSEPH (*Nominated*): പോകാം.

രണ്ടു കൊമ്പും നാലുകാലും വാലും ഉള്ള ഒരു ജന്തുവിനെ ആദരിക്കുന്ന വിധത്തിൽ പോലും തൻെറ സ്വരൂപത്തിനു് തുല്യമായ ഒരു സ്വരൂപത്തിനെ ഗണിക്കുന്നില്ല. ഈ നാട്ടിൻെറ അഭിവൃദ്ധിക്കും ശ്രേയസ്സിനും നിദാനമായിരിക്കുന്നതു് ഈ അധഃകൃതരാണു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): അധഃകൃതരെ കൊല്ലണമെന്നു നിയമമുണ്ടോ?

MR. N. JOHN JOSEPH (*Nominated*): അധഃകൃതരെ എല്ലാം കൊന്നൊടുക്കത്തക്ക നിയമം ഉണ്ടാക്കിയാലും വിരോധമില്ല. അവരെ കൊല്ലാതെ കൊല്ലുകയാണു് ഇപ്പോൾ ചെയ്തു വരുന്നതു്.

ഞാൻ ഈ പ്രമേയത്തെ എതിക്കുന്നതു പശുവിനോടുള്ള അസൂയകൊണ്ടല്ല. പശു ഉപയോഗമുള്ളതാണു്. അവയെ പുഷ്ടിപ്പെടുത്തേണ്ടതും തന്നെ. ഈ നാട്ടിൽ ധാരാളം സ്ഥലം അധഃകൃതക്കു കൊടുക്കാതെ കന്നുകാലിമേച്ചിൽ സ്ഥലമെന്നു പറഞ്ഞു് ഇട്ടിരിക്കുന്നുണ്ടു്. അവിടെ ഒരു പശുവും മേയുന്നില്ല. മനുഷ്യരുടെ സ്വന്തവസ്തുക്കളെ ഉപയോഗിക്കുന്നതിനുള്ള സ്വാതന്ത്ര്യം തടയുന്നതു നല്ലതല്ല. പശുവിനെ

ആദരിക്കുന്നതിനെക്കാഠം കൂട്ടതലായി ഈ രാജ്യത്തെ കാമധേനുക്കളായി രാജ്യത്തെ പരിപുഷ്ടിപ്പെടുത്തി ജനങ്ങളെ കുബേരന്മാരാക്കി തീക്കുന്ന അധഃകൃതരെ ബഹുമാനപൂവ്വം വിചാരിച്ചാൽ കൊള്ളാമെന്നുള്ള അഭ്യത്ഥനയോടുകൂടി ഈ പ്രമേയത്തെ എതിക്കുന്നു.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): അങ്ങിനെ വിചാരിക്കുകയില്ലെന്നു ആരെങ്കിലും പറഞ്ഞുവൊ?

MR. N. JOHN JOSEPH (*Nominated*): അനുഭവത്തിൽ അങ്ങിനെ കാണുന്നില്ല. അതുകൊണ്ടാണു പ്രത്യേകം ആ സംഗതി പറഞ്ഞതു്.

MR. P. S. MAHOMED (*Nominated*): പശുവിനെ കൊല്ലരുതെന്നാണു പ്രമേയം. ഡാക്ടർ കുഞ്ഞൻപിള്ളയുടെ പ്രസംഗത്തിൽ പറയുന്നതു പശുവിനെ കൊല്ലാതിരിക്കുകയാണെങ്കിൽ അതു ഉപദ്രവകരമാണെന്നാണു്. മൃഗങ്ങളുടെ പൊതുരക്ഷയേയും മററു ധനസംബന്ധമായ നിലയേയും ആശ്രയിച്ചുനോക്കിയാൽ പശുവിനെ കൊല്ലുന്നതുകൊണ്ടു തെററില്ലെന്നാണു തോന്നുന്നതു്.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): അങ്ങിനെയാണെങ്കിൽ മനുഷ്യരെയും കൊല്ലാമെന്നു വരുന്നില്ലെ?

MR. P. S. MAHOMED (*Nominated*): മനുഷ്യരെയും മൃഗങ്ങളെയും ഒരെ രീതിയിൽ വിചാരിക്കുന്ന മനുഷ്യരുണ്ടാകുമ്പോഠം അങ്ങിനെ ചെയ്യണം.

പശുവിനെ കൊല്ലാതിരിക്കുന്നതുകൊണ്ടു പ്രയോജനമില്ലെങ്കിലും മതസംബന്ധമായി ഏതെങ്കിലും ഒരു സമുദായത്തിലുൾപ്പെട്ടവർ കൊല്ലരുതെന്നു ശഠിക്കുന്ന പക്ഷം കൊല്ലാതിരിക്കുകയാണു് നല്ലതെന്നു വിചാരിക്കുന്നു.

MR. S. KRISHNA PILLAI (*Karunagapalli*): മുസൽമാന്മാർ എങ്ങിനെയാണു് ഈ പശുവിനെസംബന്ധിച്ച വിചാരിച്ചുവരുന്നതു്?

MR. P. S. MAHOMED (*Nominated*): അതിനെപ്പററിയാണു് പറയാൻ പോകുന്നതു്?

ഈ പ്രമേയത്തിൻെറ അടിസ്ഥാനമായി കൊണ്ടുവരുന്ന സംഗതി മതസംബന്ധമായ സെൻറിമെൻറു് ആയിരിക്കേണ്ടതായിരുന്നു.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): അതിനെപ്പററി പറഞ്ഞില്ല.

MR. P. S. MAHOMED (*Nominated*) : എന്നാലും ആ സെൻറിമെൻറിനെ വകവയ്ക്കേണ്ടിയിരിക്കുന്നു. അതിനെ അടിസ്ഥാനപ്പെടുത്തിയാണു കാശ്മീരിൽ ഗോവധം നിരോധിച്ചിരിക്കുന്നതു്. അവിടെ ൫൦ ശതമാനം ഭൂരിപക്ഷമുള്ള ഒരു സമുദായം അവിടത്തെ മൈനർ സമുദായത്തിൻെറ മതപരമായകാര്യങ്ങളിൽ കയ്യേററംചെയ്യാൻ പാടില്ല എന്നു വിചാരിച്ചാണു് അവിടെ അപ്രകാരം ചെയ്തിട്ടുള്ളതു്. അതുപോലെ മതപരമായ കാര്യത്തെ പ്രധാനമാക്കി ഈ പ്രമേയംകൊണ്ടുവന്നു എങ്കിൽ അതിനെ ഒന്നാമതായി ഞാൻ അനുകൂലിക്കാമായിരുന്നു. അങ്ങിനെ കൊണ്ടുവരുന്നതുവരെ ഇതിനെ അനുകൂലിക്കാൻ നിവൃത്തിയില്ല.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*) അങ്ങിനെ ഒരു ഭേദഗതി മെമ്പർക്കുതന്നെ കൊണ്ടുവരാമല്ലൊ?

MR. P. S. MAHOMED (*Nominated*) : ഭേദഗതിയുടെ ആവശ്യമില്ല. മതസംബന്ധമായ സെൻറിമെൻറില്ല എന്നു പറയുന്നതിനാൽ പ്രമേയത്തെ അനുകൂലിക്കാൻ നിവൃത്തിയില്ല.

MR. RAMA VARMA RAJA (*Edavagai*) : ഞാൻ പ്രമേയത്തെ പ്രതികൂലിക്കുന്നു. അതിനുള്ള മുഖ്യകാരണം, ഇപ്പോൾ വടക്കേഇൻഡ്യയിൽ നടന്നുവരുന്ന കലാപങ്ങൾക്കു സകലത്തിനും മുഖ്യകാരണം പശുവിനെ കൊല്ലരുതെന്നു ചിലർ ശഠിക്കുന്നതാണു്. നമ്മുടെ രാജ്യത്തു വർഗ്ഗീയമായ വഴക്കുകൾ അത്രത്തോളം ഉണ്ടായിട്ടില്ല. ആ പ്രത്യേകം ഒരു സംഗതിയെ ഉദ്ദേശിച്ചാണു് ഞാൻ എതിർക്കുന്നതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): പശുവിനെ കൊല്ലരുതെന്നു ലാ ഉണ്ടായാൽ അതിനെകൊല്ലുമ്പോൾ അതു് ലായ്ക്കു് വിപരീതമാകുകയല്ലാതെ കമ്മ്യൂണൽ ആകുകയില്ലല്ലൊ.

MR. RAMA VARMA RAJA (*Edavagai*): ആഹാരപദാർത്ഥങ്ങളെ സ്വാതന്ത്ര്യമായി ഉപയോഗിക്കുന്നവിഷയത്തിൽ എവിടെയെങ്കിലും ഒരു ലാ ഉണ്ടാക്കിയാൽ അവിടെ ആളുകൾ തമ്മിൽവഴക്കുണ്ടാകുമെന്നു ഷൌക്കത്താലി ഒരു കാൺഗ്രസ്സിൽവച്ചു പറഞ്ഞിട്ടുണ്ടു്. ന്യായമല്ലാത്ത ഒരു നിയമമുണ്ടായാൽ ആളുകൾ അതിനെ ശക്തിപൂർവ്വം തടയുന്നതാണു്!

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): ലായ്ക്കു് വിപരീതമായി പ്രവർത്തിക്കുമെന്നാണൊ ഭയം?

MR. RAMA VARMA RAJA (*Edavagai*): അങ്ങിനെയും കാണുന്നുണ്ടു്. ഇപ്പോൾ ആർക്കെങ്കിലും ജയിലിൽ പോകാൻ ഭയം കാണുന്നുണ്ടൊ?

എന്നെല്ലാം ഭയങ്കരമായ ഷാ ഉണ്ടാക്കിയിട്ടുണ്ട്. അതുകളെ ആരെങ്കിലും വകവയ്ക്കുന്നുണ്ടോ? ആയതുകൊണ്ട് ജനക്ഷോഭമുണ്ടാക്കുന്നതായ ഷാകളൊന്നുംതന്നെ ഉണ്ടാക്കരുത് എന്നാണ് എൻെറഅഭിപ്രായം.

മിസ്റ്റർ താണുപിള്ള മൻസിപ്പാലിററികളിൽ എങ്ങിനെ പ്രവത്തിച്ചുവരുന്നു എന്ന് ചോദിച്ചു. ഞാനും ഒരു മുനിസിപ്പൽപ്രസിഡൻറാണ്. ദേഹത്തിന് സുഖക്കേടുള്ള യാതൊരു മൃഗത്തിനെയും കൊല്ലാൻ പാടില്ല എന്ന് ബൈലാ ഉണ്ട്. കൊല്ലേണ്ട മൃഗങ്ങളെ മുനിസിപ്പൽ ആഫീസിൽ കൊണ്ടുവന്നു സാനിട്ടറിഇൻസ്പെക്ടർ പരിശോധിച്ചു രോഗമില്ലെങ്കിൽ മുദ്രവച്ചുകൊടുക്കുന്നുണ്ട്. എല്ലാമുനിസിപ്പാലിററികളിലും അങ്ങിനെ നടക്കുന്നു എന്നാണ് എൻെറ വിശ്വാസം. ഞാൻ പ്രസിഡൻറായിരിക്കുന്നമുനിസിപ്പാലിററിയിൽഇങ്ങനെയാണുചെയ്തുവരുന്നത്.

MR. A. THANU PILLAI (*Trivandrum*): രോഗമില്ലാത്ത പശുക്കളെ കൊല്ലുന്നില്ലേ?

MR. RAMA VARMA RAJA (*Edavagai*): രോഗമില്ലാത്തവയ്ക്കു മാത്രമെ മുദ്ര പതിച്ചുകൊടുക്കുകയൊള്ളൂ. പ്രസവിക്കാത്ത പശുക്കളെകൊണ്ടുവരുന്നുണ്ട്. അല്ലാതെ വളന്നുവരുന്നതും പാലുതരുന്നതുമായ പശുക്കളെ കൊണ്ടുവരുന്നില്ല. ചിലപ്പോഠം ഗർഭമുള്ള പശുക്കളെകൊന്നു എന്നു ഹർജിവരികയും അതിനെപ്പററി കേസെടുക്കുകയും ചെയ്തിട്ടുണ്ട്. പെരുനാഠംവരുന്നസമയത്തു ഇതിനുരുചിക്കൂടുതൽഉള്ളതുപോലെതോന്നുന്നുണ്ട്.

MR. A. THANU PILLAI (*Trivandrum*): ഗർഭമുള്ള പശുക്കളെ കൊല്ലാൻ പാടില്ല എന്ന് റൂഠംസുണ്ടോ?

MR. RAMA VARMA RAJA (*Edavagai*): ഇല്ല.

MR. K. KUNJU KRISHNA PILLAI (*Quilon*): ഗർഭമുള്ളപശുവിനെ മോഷ്ടിച്ചുകൊണ്ടുപോയി കൊന്നുകളഞ്ഞുഎന്നു ഹർജി വന്നതുകൊണ്ടാണൊ കേസെടുത്തതു്?

MR. RAMA VARMA RAJA (*Edavagai*): ഗർഭമുള്ളവയെ ദേഹസുഖമില്ലാത്തക്കൂട്ടത്തിലാണ് ഗണിച്ചുവരുന്നതു്. അവയെ അറക്കാൻ അനുവാദം കൊടുക്കയില്ല. അനുവാദംക്രൂടാതെകൊന്നു എന്നാണ ഹർജി. ഗർഭമുള്ളതിനെ സുഖക്കേടിൻെറക്കൂട്ടത്തിൽ ഗണിച്ചിരിക്കുകയാണ്.

MR. A. THANU PILLAI (*Trivandrum*) : കഠോരഗർഭമുള്ളതിനെ എങ്ങനെയാണ് വിചാരിക്കുന്നതു്?

MR. RAMA VARMA RAJA (*Edavagai*): കഠോരമെന്നും അല്ലാത്തതെന്നും മററും തരംതിരിച്ചിട്ടില്ല. ഗർഭലക്ഷണം പൂത്തിയായതിനെ സുഖക്കേട് എന്നുള്ള കാരണത്താൽ കൊല്ലാൻ അനുവദിക്കുന്നില്ല.

MR. A. THANU PILLAI (*Trivandrum*): പശുക്കളെ കൊല്ലാൻ അനുവദിക്കുന്നുണ്ടെങ്കിലും നല്ലപശുക്കളെ കൊല്ലുന്നില്ല എന്നാണൊ മെമ്പർ അഭിപ്രായപ്പെടുന്നതു്?

MR. RAMA VARMA RAJA (*Edavagai*): മച്ചിപശുക്കളെമാത്രമെ കൊല്ലാൻ അനുവദിക്കാറൊള്ളു.

MR. A. S. DAMODARAN ASAN (*Mave'ikara* cum *Karthikapalli*): സുഖമില്ലാത്ത പശുക്കളെ കൊന്നുകൂടാ എന്നുപറയുന്നതിനു് കാരണമെന്താണു്?

MR. RAMA VARMA RAJA (*Edavagai*): രോഗമുള്ള പശുക്കളെ കൊന്നുതിന്നാൽ രോഗം പിടിക്കുമെന്നുള്ളതു് തന്നെ.

MR. A. THANU PILLAI (*Trivandrum*); രോഗമുള്ള പശുക്കളെ തിന്നുന്നതിനായി കൊന്നുകൂടാ എന്നു മാത്രമെയുള്ളോ?

MR. RAMA VARMA RAJA (*Edavagai*): അതെ, അതിനെ മററുവിധത്തിൽ ഉപയോഗപ്പെടുത്തുന്നുമില്ല.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): രോഗമുണ്ടൊ ഇല്ലയൊ എന്നു പരിശോധിച്ചിട്ടാണൊ കൊല്ലുന്നതു്?

MR. RAMA VARMA RAJA (*Edavagai*): അതെ, ഞങ്ങൾ അതിനെ പരിശോധിച്ചു മുദ്രവച്ചു കൊടുത്തതിനു ശേഷമെ കൊല്ലുന്നൊള്ളു.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Much has already been said *against* my resolution. But I am not convinced of the arguments advanced against it. Therefore, I press the resolution to a division.

DEPUTY PRESIDENT: The resolution before the House is—

"This Council recommends to the Government that the killing of cows in the State be prohibited."

The resoulation was put to the vote and lost.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*); I demand a poll, Sir.

A poll was taken and the House divided as follows:—

AYES—15.

1	Mr.	S. Chattanatha Karayalar	9	Mr.	K. P. Madhavan Pillai
2	,,	A. S. Damodaran Asan	10	,,	M. P. Madhavan Pillai
3	,,	K. Gopalakrishna Pillai	11	,,	M. Mahomed Mustapha
4	,,	Joseph Kunju	12	,,	K. Narayanaperumal Nadar
5	,,	K. Krishnan Nayar			
6	,,	E. V. Krishna Pillai	13	,,	A. Narayana Pillai
7	,,	N. K. Krishna Pillai	14	,,	R. S. Subrahmanya Pillai
8	,,	S. Krishna Pillai	15	,,	N. A. Sundaram Pillai

NOES—23.

1 Mr. K. P. Abraham
2 ,, L. A. Bishop
3 ,, R. Dhanukoti Pillai
4 ,, K. George
5 ,, M. Govindan
6 ,, N. John Joseph
7 ,, K.I. Kocheeppan Mappillai
8 ,, K. P. Kochukora Tarakan
9 ,, A. Kumara Pillai
10 Rao Sahib Dr. N. Kunjan Pillai
11 Mr. K. Kunjukrishna Pillai
12 ,, L. A. Lampard
13 Mr. C. O. Madhavan
14 ,, E. G. McAlpine
15 ,, R. Nilakanta Pillai
16 ,, N. K. Padmanabha Pillai
17 ,, Kayalam Parameswaran Pillai
18 Dr. K. Raman Tampi
19 Mr. Rama Varma Raja
20 ,, S. C. H. Robinson
21 ,, R. Vaidyalingom Pillai
22 ,, P. Visva atha Aiyar
23 ,, J. S. Westerdale

NEUTRALS—4.

1 Mrs. Anna Chandi
2 Mr. K. Madhavan Pillai
3 Mr. P. S. Mahomed
4 ,, A. Thanu Pillai

The resolution was declared lost.

RESOLUTION RE RESTRICTION AGAINST CHILD MARRIAGE

MR. RAMA VARMA RAJA (*Edavagai*).

„This Council recommends to the Government that early steps be taken to bring the provisions of the child marriage restriction Act, known as the Sarda Act recently passed by British Indian Legislature into operation in this State."

ഈ റസല്യൂഷൻ അവതരിപ്പിക്കുന്നതിന് മുമ്പ് എനിക്ക് അതിനെപ്പററി രണ്ടു് വാക്ക് പറയാനുണ്ടു്. ഈ കൗൺസിലിൽ ഇതുപോലെ ഒരു ബിൽകൊണ്ടുവന്നു പാസ്സാക്കുന്നതിനുള്ള അധികാരം ഉണ്ടായിരിക്കെ ഇങ്ങിനെയുള്ള ഒരു റസല്യൂഷൻ കൊണ്ടുവരേണ്ട ആവശ്യമെന്താണെന്ന് എന്റെ സ്നേഹിതന്മാരിൽ പലരും എന്നോടു് ചോദിച്ചു. അതിനെപ്പററി ഒരുവാക്കു പറയേണ്ടതുണ്ടു്. സാധാരണയായി സോഷ്യൽ ലജിസ്ലേഷന് വേണ്ടി ഏതെങ്കിലും ഒരുബിൽ നാൺ അഫിഷ്യൽ സൈഡിൽനിന്നും കൊണ്ടുവന്നാൽ ഗവൺമെന്റിൽനിന്നും അതിനെ തടയുകയാണ് പതിവു്. ഉദാഹരണമായി ക്ഷത്രിയബിൽ ഇവിടെ അവതരിപ്പിക്കുന്നതിനായി ഞാനും മിസ്റ്റർ എൽ. ആർ. രാജരാജവർമ്മതമ്പുരാനും കൂടി മൂന്നുവർഷം നിരന്തരമായി പരിശ്രമിച്ചിട്ടും ബില്ലു് അവതരിപ്പിക്കാൻ സാധിക്കാതെവന്നു. പിന്നെ ഭാഗ്യവശാൽ ചിലകാര്യങ്ങൾ ഒക്കെ ഒത്തുവന്നുചേർന്നതിനാൽ മാത്രമാണ് ഒരു ബില്ലു് അവതരിപ്പിക്കാൻസാധിച്ചിട്ടുള്ളതു്. അങ്ങനെ ചില സൗകര്യങ്ങൾ ഉണ്ടാകാതിരുന്നു എങ്കിൽ ഞങ്ങൾക്ക് ക്ഷത്രിയബിൽ കൊണ്ടുവരാൻ സാധിക്കുകയില്ലായിരുന്നു. ആ ഭയം കൊണ്ടുതന്നെയാണ് ഒരു ബില്ലായികൊണ്ടുവരു

[Mr. Rama Varma Raja.]

വാൻ മടിച്ചതു്. അതുകൊണ്ടു് ഈ പ്രമേയത്തെ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

ഇതിനെപ്പററി ജനങ്ങൾക്കുള്ള അഭിപ്രായം എന്തെന്നറിഞ്ഞ് ജനങ്ങൾക്ക് അതു അത്യാവശ്യമാണെന്ന് ഗവണ്മെൻറിന് ബോധ്യം വന്നാൽ ഗവണ്മെൻറിൽനിന്നുംതന്നെ ഒരു ബിൽ കൊണ്ടുവരുവാൻ സാധിക്കുമല്ലൊ എന്ന് വിചാരിച്ചാണ് ഈ സംഗതി ഞാൻ പ്രമേയരൂപേണ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ളതു്. ഇത്രയും പറഞ്ഞുകൊണ്ടു് പ്രമേയത്തിൻെറ വിഷയത്തിലേക്കു കടക്കുന്നു.

വലുതായ ഒരു അപവാദം ഇൻഡ്യയിൽ നിന്നും നീക്കുന്നതിനു വേണ്ടിയാണ് റായിസാഹിബ് ഹരിദാസ് സർദാ ലജിസ്ലേററീവ് അസംബ്ലിയിൽ ശൈശവവിവാഹം തടയുന്നതിനുഒരുബിൽ അവതരിപ്പിച്ചു പാസ്സാക്കിയതു്. നമ്മുടെയിടയിൽ വളരെ ചെറുപ്പക്കാരായ സ്ത്രീപുരുഷന്മാർ തമ്മിൽ വിവാഹം നടത്തുന്നതു് നിമിത്തം നാഷണൽ ഹെൽത്ത് വളരെ മോശമായിട്ടു് തീരുന്നുഎന്ന് പലമഹാന്മാരും അഭിപ്രായപ്പെട്ടിട്ടുണ്ടു്. ആക്കൂട്ടത്തിൽ ഖ്യാതിനേടിയ (ഖ്യാതിയൊ അപഖ്യാതിയൊ എന്ന് ഞാനിവിടെ പറയുന്നില്ല) മിസ്സ് മേയോവിൻെറ പുസ്തകം വായിച്ചു കഴിഞ്ഞാൽ ഭാരതീയരായ നമുക്കു ലജ്ജിക്കാതെ തരമില്ല. നമ്മുടെ രാഷ്ട്രശരീരത്തിൽ ഒരു വലിയ ഇത്തിൾപാററിയതുപോലെയാണ് സകലവർഗ്ഗക്കാരും ഇതിനെ വിചാരിക്കുന്നതു്. അതുപോലെയാണു നമ്മുടെ സകലസംഗതികളും. കുറച്ചുമുമ്പു് എൻെറ സ്നേഹിതൻ മിസ്റ്റർ ജാൺജോസഫ് ഡിപ്രസഡ് ക്ലാസ്സ എന്ന് കുറെയാളുകളെ നീക്കിവച്ചിരിക്കുന്നു എന്ന് പറഞ്ഞു. ഈ സാമുദായിക അനാചാരം— ശിശുവിവാഹം —നിമിത്തം എൻഫോർസ്ഡ് വിഡോഹുഡ് കൊടുത്തു് കുറെ പേരെ നീക്കിവച്ചിരിക്കുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഏതെല്ലാം സമുദായങ്ങളിലാണു പതിന്നാലു വയസ്സിനകമുള്ള വിവാഹം നടക്കുന്നതു്?

MR. RAMA VARMA RAJA (*Edavagai*): എൻെറ പ്രസംഗത്തിന് ശേഷം ചോദ്യങ്ങൾക്കു ഉത്തരം പറയുന്നതായിരിക്കും നല്ലതെന്ന് തോന്നുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sikar Vakil*): അനുമതി. ഞാൻ ചോദ്യം പിൻവലിച്ചേയ്ക്കാം.

MR. RAMA VARMA RAJA (*Edavagai*): ലാ മെമ്പർ ചോദിച്ച ചോദ്യത്തിന് തന്നെ ആദ്യം ഉത്തരം പറയാമെന്ന് ഞാൻ വിചാരിക്കുന്നു.

MR. A. THANU PILLAI (*Trivandrum*): ഈ സംഗതിയെപ്പററി അറിയുന്നതിന് ലാ മെമ്പറെക്കാൾ കൂടുതൽ സൗകര്യം മെമ്പൎക്കുണ്ടായിട്ടുണ്ടൊ?

MR. RAMA VARMA RAJA (*Edavagai*): ഞങ്ങളിൽ ആൎക്കാണ് ഇതിനെപ്പററി അറിയാൻ കൂടുതൽ സൗകര്യമുണ്ടായിട്ടുള്ളതെന്ന് എന്റെ പ്രസംഗം കഴിയുമ്പോൾ മെമ്പൎക്കുതന്നെ തീൎച്ചയാക്കാവുന്നതാണ്.

സെൻസസ് കമ്മീഷണർ എന്റെ ആവശ്യപ്രകാരം ചില വിവരങ്ങൾ എനിക്ക് തന്നതിൽ നിന്നും ഞാൻ മനസിലാക്കുന്നതു് അഞ്ചു മുതൽ പത്തു വരെ പ്രായമുള്ള പെൺ കുട്ടികളുടെയിടയിൽ ആകെ നടന്നിട്ടുള്ള വിവാഹങ്ങളുടെ എണ്ണം ൨,൪൮൪ എന്നാണ്.

MR. A. THANU PILLAI (*Trivandrum*): ഇതു് ഒരാണ്ടിൽ നടന്നതാണൊ?

MR. RAMA VARMA RAJA *Edavagai*): അല്ല.

MR. A. THANU PILLAI (*Trivandrum*): അങ്ങനെ വിവാഹം ചെയ്തവർ ഇപ്പോഴും ജീവിച്ചിരിക്കുന്നുണ്ടൊ?

MR. RAMA VARMA RAJA (*Edavagai*): ഉണ്ടു്.

MR. A. THANU PILLAI (*Trivandrum*): സ്ത്രീയും പുരുഷനും ഉൾപ്പെടെയാണൊ?

MR. RAMA VARMA RAJA (*Edavagai*): സ്ത്രീകൾ മാത്രമാണ്.

ഇതിൽ ഹിന്ദുസ്ത്രീകൾ ൧,൩൬൨-ം, ക്രിസ്ത്യാനികൾ ൯൪൨-ം, മഹമ്മദീയർ ൧൭൦-ം വിവാഹങ്ങൾ വീതം നടത്തീട്ടുണ്ടു്. ഇതു അറിയുന്നതിനുമുമ്പിൽ ഞാൻ വിചാരിച്ചിരുന്നതു് ഈ ഇത്തിരം ഹിന്ദുക്കളുടെയിടയിൽമാത്രമെയുള്ളു എന്നാണ്. എന്റെ സ്നേഹിതൻ ഈ സംഖ്യകൾപറഞ്ഞപ്പോൾ എനിക്ക് അത്ഭുതമാണ് തോന്നിയതു്. ഹിന്ദുക്കളുടെയിടയിൽ പാരമ്പൎയ്യമായിനടന്നുവരുന്നതാണെന്നു വേണമെങ്കിൽ സമാധാനപ്പെടാം. എന്നാൽ ക്രിസ്ത്യാനികളുടെയിടയിലും ഇതു ധാരാളം നടന്നു വരുന്നു. വിശേഷിച്ചും സിറിയൻ ക്രിസ്ത്യാനികളുടെ ഇടയിലാണ് കൂടുതലായി നടന്നുവരുന്നതു്. ആയിരത്തിൽ പതിനൊന്നു പേർ സിറിയൻ ക്രിസ്ത്യാനികളുടെയിടയിൽ ശൈശവവിവാഹം കഴിക്കുന്നു. ക്രിസ്ത്യാനികൾ ആകപ്പാടെ നോക്കിയാൽ ആയിരത്തിന് ൯-പേരാണ് ഉള്ളതു്. ഹിന്ദുക്കളിൽ ആയിരത്തിൽ ൫-വിവാഹം

[Mr. Rama Varma Raja.]

നടക്കുന്നു. ഈ കണക്കിൽനിന്നും ഹിന്ദുക്കളിൽ കുറവും ക്രിസ്ത്യാനികളിൽ കൂടുതലുമായിട്ടാണ് ബാല്യവിവാഹം നടത്തുന്നത്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): നായന്മാരിൽ എത്രയുണ്ട്?

MR. RAMA VARMA RAJA (*Edavagai*): ഈ കണക്കനുസരിച്ചു ഒരു പേർസെന്റേജ് നായന്മാരിലും കാണും. ഈ കണക്ക ബോദ്ധ്യപ്പെടുത്തുന്ന വിഷയത്തിൽ ഡാക്ടർകുഞ്ഞൻപിള്ള എന്നെ സഹായിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഈഴവരിൽ എത്രപേരുണ്ട്?

MR. RAMA VARMA RAJA (*Edavagai*): ഹിന്ദുക്കൾ എല്ലാവരും ചേന്ന കണക്കാണ് ഇവിടെ പറഞ്ഞതു്. ബ്രാഹ്മണരുടെയിടയിൽ ബാല്യവിവാഹം ധാരാളം നടക്കുന്നു എന്നാണ് വിശ്വസിച്ചുവന്നതു്. അവർ ആകപ്പാടെ അൻപതിനായിരമൊ അറുപതിനായിരമൊ പേർ മാത്രമെയുള്ളു. ആ സ്ഥിതിക്ക് അവരുടെ പെർസെന്റേജ് വളരെ കുറവായിട്ടെ കാണുകയുള്ളു. അധികം നടക്കുന്നതു അബ്രാഹ്മണ ഹിന്ദുക്കളുടെയും ക്രിസ്ത്യാനികളുടെയും ഇടയിലാണ്. പത്തുമുതൽ പതിനഞ്ചുവയസ്സുവരെയുള്ള ആകെ വിവാഹങ്ങൾ ൨൩,൭൪൪ ആണ്. ഇതിൽ ഹിന്ദുക്കൾ ൧൩,൩൭൨-ം ക്രിസ്ത്യാനികൾ ൮൩൪൦-ം മഹമ്മദീയർ ൧,൩൮൯-ം ആണ് വിവാഹം കഴിച്ചിട്ടുള്ളതു്. ഇതു് ഇപ്പോഴത്തെ സെൻസസിൽനിന്നും കിട്ടിയ കണക്കുകളാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): മുമ്പിലത്തെ സെൻസസിൽ ഇവരുടെ കണക്ക് എത്രയാണെന്നറിയാമൊ?

MR. RAMA VARMA RAJA (*Edavagai*): ഇതിനു മുമ്പിലത്തെ സെൻസസ് ശരിയായി കണക്കാക്കിയിട്ടില്ല എന്നാണു കമ്മീഷണർ എന്നെ മനസ്സിലാക്കിയതു്. അതുകൊണ്ടു് അതിനെപ്പറ്റിപ്പറയാൻ സാധിക്കുകയില്ല. ഈ സംഗതികൾക്കു ഞാൻ പ്രത്യേകം വേണ്ട അന്വേഷണങ്ങൾ നടത്തിയെങ്കിലും ഞാൻവിചാരിക്കുന്നതുപോലെയുള്ള സ്റ്റാറ്റിസ്റ്റിക്സ് മുമ്പിലത്തെ സെൻസസ്സ് കണക്കുകൾ ഇല്ലാത്തതിനാൽ കിട്ടിയിട്ടില്ലെന്നു മാത്രമേ പറയാൻ നിവൃത്തിയൊള്ളു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): മുമ്പിൽ നടത്തിയ സെൻസസിനെക്കാൾ ഇപ്പോൾ ഈ വി

വാഹങ്ങൾ കൂടിവരുന്നോ കുറഞ്ഞുവരുന്നോ എങ്ങിനെയാണ മെമ്പറിൻെറ അഭിപ്രായം?

MR. RAMA VARMA RAJA (*Edavagai*) : വൎദ്ധിച്ചുവരുന്നു എന്നാണു എൻെറ അഭിപ്രായം. പ്രായമായിട്ടു കല്യാണം കഴിച്ചാൽമതി എന്നുള്ളവരുടെ ഇടയിലും ശിശുവിവാഹം ധാരാളമായി നടന്നുകാണുന്നതിനാൽ വൎദ്ധിക്കയാണെന്നു തന്നെ വിചാരിക്കണം.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): സൎദാ ആക്റ്റ് വന്നതുകൊണ്ടു് ഋതുവാകുന്നതിനു് മുമ്പു കല്യാണം നടത്തണമെന്നു് ആഗ്രഹമുള്ളവൎക്കു് അവിടെ സാധിക്കാത്തതിനാൽ അവർ ഇവിടെവന്നു് വിവാഹം നടത്താൻ ഇടയില്ലെ ?

MR. RAMA VARMA RAJA(*Edavagai*): എനിക്കും ഈ സംശയം തോന്നി. ലായെപ്പററി എനിക്കു പരിജ്ഞാനമില്ലാത്തതുകൊണ്ടു് അതിനെപ്പററി പറഞ്ഞാൽ തെററായിപ്പോകുമൊ എന്നു വിചാരിച്ചാണു പറയാതിരുന്നതു് മിസ്റ്റർ കുഞ്ഞുകൃഷ്ണപിള്ള ലാ പരിജ്ഞാനമുള്ള ആളായതുകൊണ്ടു അതിനെപ്പററിയുള്ള സംശയം തീൎക്കുമെന്നു് വിശ്വസിക്കുന്നു. അവിടത്തെ നിയമത്തിൽനിന്നും ഒഴിയാൻ തിരുവിതാംകൂറിൽവന്നു് കല്യാണം നടത്തി അവിടെ പോകുമ്പോൾ ശിക്ഷയ്ക്കർഹമാവുകയില്ലെന്നാണു് എൻെറ അറിവ്. ആ സ്ഥിതിക്കും തിരുവിതാംകൂറിൽ ഈ നിയമത്തിൻെറ ആവശ്യമുണ്ടു്.

MR. M. GOVINDAN (*Nominated*) : അവിടെനിന്നും ഇവിടെവന്നു കല്യാണവും കഴിച്ചു് ഇവിടെത്തന്നെ താമസിക്കാൻ തീൎച്ചപ്പെടുത്തുകയാണെങ്കിൽ എന്തുചെയ്യും?

MR. RAMA VARMA RAJA (*Edavagai*) ലായിൽ ഒഴിയണമെന്നു മനഃപൂൎവ്വമുള്ള ഒരാൾ അതിൽനിന്നും ഒഴിയുകതന്നെചെയ്യും.

ശാസ്ത്രങ്ങളിലും സ്മൃതികളിലും ഈ ബാല്യവിവാഹത്തെപ്പററി പറഞ്ഞിട്ടില്ല. മനു പറഞ്ഞിരിക്കുന്നതു് ഋതുവായി മൂന്നുവർഷം കഴിഞ്ഞിട്ടുവേണം കല്യാണം കഴിക്കാൻ എന്നാണു്. ധന്വന്തരി പറഞ്ഞിരിക്കുന്നതു് ഇൻഡ്യയിൽ സാധാരണയായി പ്യൂബർട്ടി അറെയിൻ ചെയ്യുന്നതു് ൧൬ വയസ്സിൽ ആണു് എന്നാണു്. മനുസ്മൃതിയിൽ ൧൬-ം ൧൮-ം വയസ്സുകളിലല്ലാതെ കല്യാണം കഴിക്കാൻപാടില്ല എന്നു നിർബന്ധമായി പറഞ്ഞിട്ടുണ്ടു്. മനുവിനു മുമ്പുണ്ടായിരുന്ന ആളുകളുടെയിടയിൽ ശൈശവവിവാഹം നടപ്പുണ്ടായിരുന്നില്ല. മലബാറിലെ നമ്പൂതിരിമാരുടെയിടയിൽ സ്ത്രീകൾ ഋതുവായാലും കല്യാണം കഴിക്കാതെ നിത്യ

[Mr. Rama Varma Raja.]

കന്യകകളായിത്തന്നെ മരിക്കുകകൂടി പതിവാണ്. അവരുടെയിടയിൽ ഈ പതിവ് എങ്ങനെ വന്നു എന്നു അന്വേഷിച്ചപ്പോൾ മനുസ്മൃതിക്കുമുമ്പുള്ള പതിവിനെ പിൻതുടൎന്നു എന്നാണ് എനിക്കു മനസ്സിലാക്കാൻ ഇടയായതു്. അതിൽപിന്നീടു കേവലം ചില ഉദ്ദേശങ്ങളെ വിചാരിച്ച് ആളുകൾതന്നെ ഉണ്ടാക്കിയതാണ്. ഇതിനെപ്പററിയുള്ള ലാ അതിനുമുമ്പ് എങ്ങിനെയാകണമെന്നു അന്വേഷിച്ചതിൽ വിവരങ്ങൾ ഒന്നും കിട്ടിയില്ല. ഡാക്ടർ ലാൻസെസ്റ്റർ എന്ന മഹാൻ 'ട്യൂബർകുലോസിസ് ഇൻ ഇൻഡ്യ'' എന്നൊരു പുസ്തകം എഴുതിയിട്ടുണ്ടു്. അതിൽ കുറെ ഭാഗം ഇവിടെ വായിക്കാം.

> "People forget the fearful strain upon the constitution of a delicate girl of 14 years or even less, which results from the thoughtless incontinence of the newly married boy or still more, the pitiless incontinence of the remarried man. Serious as these causes of strain are upon the health of the young married girl, they sink into insignificance in comparison with the stress of maternity which follows. It is a truism to say that the process connected with reproduction which, from one point of view, may be regarded as the most important of human functions, should be allowed to take place under the most favourable conditions possible. Surely it would seem to be of fundamental importance that these processes should be delayed until the body as a whole shall have attained full development and be prepared for this great crisis. For in no other crisis of life does the ultimate result depend so much upon physical condition of the body.
>
> "Let even so much as two years be conceded, and in place of 18 years which may be reckoned as the lower limiting age in ordinary cases of marriage in the west, let 16 years be the age which popular opinion shall regard as the normal one for marriage in this country. The result will be an incalculable gain in the health of the women of India as also in that of the children whom they bear."

ഇതിൽനിന്നും എത്രമാത്രം സ്ത്രീകളുടെ ദേഹത്തിനു കേടുണ്ടാകുന്നു എന്നു മനസ്സിലാക്കാവുന്നതാണ്. ചെറുപ്പമായ അവസ്ഥയിൽ ഇത്രമാത്രം കേടു ഉണ്ടാകുന്നതു് നാഷണൽ ഹെൽത്തിനു വളരെ വിപരീതമാണ്. യൂറോപ്പിലുള്ള ഒരാളെയും നമ്മിൽ ഒരാളെയും എടുത്ത് ഘനവും പൊക്കവും താരതമ്യപ്പെടുത്തിനോക്കിയാൽ നമുക്കു അവരെക്കാൾ ഉലോം ഘനവും പൊക്കവും കുറഞ്ഞിരിക്കുന്നതായി കാണും. ഇതിനുകാരണം ഒന്നു ഈ ബാല്യവിവാഹമാണ്. സെൻറിമെൻറൽ ആയിട്ടും തല്ക്കാലചില സൌകൎയ്യത്തിനുവേണ്ടിയും ഇപ്രകാരം നടത്തിവരുന്നു എന്നല്ലാതെ വേറെയാതൊന്നും അതുകൊണ്ടു് സാധിക്കുവാനില്ല. ബ്രാഹ്മണരുടെയിടയിൽ ഇങ്ങിനെതന്നെ നടത്തണമെന്നു ചിലർപറയുന്നു. എന്നാൽഅപ്രകാരം വേണ്ടെന്നു പല ഉത്തമബ്രാഹ്മണരും പറയുന്നു

ണ്ട്. ബ്രിട്ടീഷിൽ ഈ ലാ നടന്നുവരുന്നസ്ഥിതിക്കു അങ്ങിനേയൊരു ലാ ഇവിടെയുംഉണ്ടാകാതിരുന്നാൽ അവിടെയും ഇവിടെയുംഉള്ള ഐക്യതക്കു വിപരീതം വരുമെന്നാണ് എന്റെ അഭിപ്രായം. ഇൻഡ്യയുടെ ഒരററംമുതൽ മറെറഅററംവരെ ഒരെ ലാ ആയിരിക്കണം. ഒരുസ്ഥലത്തു ഒരുവിധത്തിലും മറെറാരുസ്ഥലത്തു വേറൊരുവിധത്തിലും ആയിരിക്കുന്നതു ഇൻഡ്യാക്കാർതമ്മിലുള്ള സൌഹാർദ്ദത്തിനു വിപരീതമാണ്. മൈസൂർ ബറോഡ, മുതലായ രാജ്യങ്ങളിൽവിവാഹത്തിനുള്ള വയസിനെപ്പററിലാ ഉണ്ടാക്കിയിട്ടുണ്ട്. ഭരത്പൂരിൽ ൧൨ വയസിനു താഴെയുള്ള വിവാഹം പാടില്ല എന്ന് ഉണ്ട്. രാജപുട്ടാണയിൽ ൧൯൨൬-ൽ ലാ പാസാക്കിയിരിക്കുന്നതു ൧൨ വയസ്സുള്ള സ്ത്രീയും ൧൫ വയസ്സുള്ള പുരുഷനും തമ്മിലല്ലാതെ വിവാഹം പാടില്ല എന്നാണ്. ൧൪ വയസിനു മേലുള്ള സ്ത്രീയും ൪൫ വയസിനു മേലുള്ള പുരുഷനും തമ്മിൽ വിവാഹം പാടില്ല എന്നും ഉണ്ട്. ഇങ്ങിനെ പല രാജ്യങ്ങളിലും ഈ നിയമങ്ങൾ ഉണ്ടാക്കിയിട്ടുണ്ട്. നമ്മുടെ രാജ്യവും അതാതു കാലസ്ഥിതിയനുസരിച്ച അഭിവൃദ്ധിപ്പെട്ടുവരണമെന്ന് വിചാരിച്ച പ്രവത്തിക്കുന്ന ഈ കാലത്ത് ഇവിടെയും എന്തുകൊണ്ട് ഈ ലാ പാസാക്കാൻ പാടില്ല. അതുകൊണ്ട് അതുപോലെ ഒരു ലാ ഇവിടെയും പാസാക്കണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി എന്റെ പ്രമേയത്തെ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): ലാ ഉണ്ടാക്കിയാൽ അതിനെ ലംഘിക്കുന്നെങ്കിൽഎന്തുചെയ്യും?

MR. RAMA VARMA RAJA (*Eduvagai*) : ലംഘിക്കുന്നു എങ്കിൽ ശിക്ഷിക്കണം. അങ്ങിനെ ശിക്ഷിക്കുമെന്ന് ക്രമേണ മനസിലാക്കിവരുമ്പോൾ ആരും ലംഘിക്കുകയില്ല.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*) : ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു.

The House adjourned at 5-10 P. M.

P. VISVANATHA AIYAR,
Secretary to the Legislative Council

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

(*OFFICIAL REPORT.*)

Tuesday, the 26th April, 1932/14th Medam 1107.

The Council re-assembled in the Victoria Jubilee Town Hall at eleven-thirty of the Clock, the Deputy President presiding.

QUESTIONS AND ANSWERS.

Agricultural loans.

246. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*) : Will the Government be pleased to state ;

(*a*) the amount of agricultural loans sanctioned for the Agastisvaram taluk in 1107 ;

(*b*) whether there are special reasons for granting loans in two instalments, and, if so, what they are ; and

(*c*) the interest on agricultural loans in Cochin ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : (*a*) The amount sanctioned for the Agastisvaram taluk in the current year's budget is Rs. 1,500 under ordinary loans and Rs. 3,000 under special loans (*i e.,* loans up to Rs. 500).

(*b*) Yes. The provision in Rule XXV of the Land Improvement and Agricultural Loans Rules that loans should ordinarily be granted in two instalments is made with a view to see that the instalment of the loan already disbursed is utilised for the purpose for which it was granted (after such enquiry as the Dewan Peishkar may deem necessary under Rule XXIII) before the second instalment is paid. The Rules, however, vest in the officers granting loans a discretion to grant loans in one instalment when it appears to them that there are reasonable grounds for so doing. This provision is enough to see that in really deserving cases loans are disbursed in one lump.

(*c*) The interest charged on agricultural loans in Cochin is reported to be 3 per cent.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : What percentage of the total allotment for ordinary loans for the current year has been sanctioned for the Agastisvaram taluk ?

MR. P. VISVANANATHA AIYAR (*Ag. Secretary to Government*) : It does not arise from the question at all. I am not, therefore, in a position to answer the question.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : What is the rate of interest charged on agricultural loans in Travancore ?

G. P. T. 2267. 300. 7-12-07.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Six per cent.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether there is any idea of reducing the rate of interest?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Has there not been a request from the people for the rate of interest being reduced?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I am not aware of any such representation.

Extension of the Vaikam-Vetchur road.

247. **MR. A. NARAYANA PILLAI** (*Vaikam*): Will the Government be pleased to state:

(*a*) whether they have received any representations through the Sri Mulam Popular Assembly or the Legislative Council regarding the extension of the Vaikam-Vetchur road to Kumarakam;

(*b*) if so, from whom, and the action taken in the matter; and

(*c*) whether they will take up the above matter as urgent?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*), (*b*) and (*c*). Representations have been received from the members of the Sri Mulam Popular Assembly and the Legislative Council. The Chief Engineer reports that the first section of the road up to Vallayil *todu* and the Attara bridge has been completed, that there are two bridges one across the Vallayil *todu* and the other across the Maramneettil *todu*, that an estimate for the latter bridge has been sanctioned and an estimate for the second section is under preparation. These works will be taken up when funds became availabe.

MR. A. NARAYANA PILLAI (*Vaikam*): സെക്കൻറു സെക്‌ഷൻ എന്നു പറഞ്ഞിരിക്കുന്നതു് എവിടംമുതൽ എവിടംവരെയാണെന്നു പറയാമൊ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): വല്ലയിൽ തോടു മുതലാണു് എന്നു തിരുത്തി പറഞ്ഞിട്ടുണ്ടല്ലൊ.

MR. A. NARAYANA PILLAI (*Vaikam*): വല്ലയിൽതോടു മുതൽ തീരേണ്ടിയിരിക്കുന്നു എന്നു സമ്മതിക്കുന്നു. എന്നാൽ സെക്കൻറുസെക്‌ഷൻ എവിടെയാണു് അവസാനിക്കുന്നതെന്നു പറഞ്ഞിട്ടില്ല. അതു പറയുവാൻ ദയവുണ്ടാകുമൊ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ആകെ മൂന്നരനാഴിക ദൂരമുണ്ടു്.

MR. A. NARAYANA PILLAI (*Vaikam*): അത്രയും ദൂരം സെക്കൻറുസെക്‌ഷനായിട്ടാണൊ എടുത്തിരിക്കുന്നതു്?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ഇവിടെയുള്ള ഫയലിൽനിന്നും അതിപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): എസ്റ്റിമേറ്റ് അനുവദിച്ചിട്ടുണ്ടെന്നു പറഞ്ഞഭാഗങ്ങളിൽ എന്നു ജോലിതുടങ്ങുമെന്നു പറഞ്ഞാൽ കൊള്ളാം.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): "These works will be taken up when funds become available" എന്നു മറുപടിയിൽ പറഞ്ഞിട്ടുണ്ടല്ലൊ

MR. A. NARAYANA PILLAI (*Vaikam*): അതു ഒരതിർത്തി ഇല്ലാത്ത സമയമാണല്ലൊ.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): രാജ്യത്തു പണം ധാരാളമുണ്ടാകുമ്പോൾ തുടങ്ങും.

MR. A. NARAYANA PILLAI (*Vaikam*): ഇതിനുമുമ്പും ഈ വകക്കു എസ്റ്റിമേറ്റു അനുവദിച്ചിട്ടുണ്ടായിരുന്നു. ആ പണി നടന്നിട്ടില്ലെന്നറിയാമൊ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): ഏകദേശം ൧൬,൦൦൦ രൂപായോളം ഇതിലേക്കു ചിലവാക്കിയിട്ടുണ്ട്.

MR. A. NARAYANA PILLAI (*Vaikam*): ബാക്കി ഭാഗങ്ങൾ കൂടി എന്നു പണി തുടങ്ങും എന്നു ഉദ്ദേശമായിട്ടില്ലെങ്കിലും പറയാമൊ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): സാമ്പത്തികസ്ഥിതി നന്നാകുമ്പോൾ ചെയ്യുമെന്നല്ലാതെ അതിൽകൂടുതൽ ഇപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): അടുത്തകൊല്ലത്തെ ബഡ്ജറ്റിലെങ്കിലും ഇതു ചേർക്കുന്നതിനു ഗവർമ്മെന്റിനു ദയവുണ്ടാകുമൊ?

MR. A. KUMARA PILLAI (*Ag. Secretarg to Government*): അതിപ്പോൾ നിശ്ചയിക്കാൻ പാടില്ല.

Statement, by caste, of appointments made in vernacular schools in 1105 and 1106.

248. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of appointments made in the vernacular schools during 1105 and 1106?

MR. K. GEORGE (*Chief Secretary to Government*): A statement, * by caste, of appointments made in the vernacular schools during 1105 and 1106 is laid on the table.

---

* *Vide* Appendix I—page 752.

MR. P. S. MAHOMED (*Nominated*): മലയാളം പള്ളിക്കൂടങ്ങളിൽ ൧൧൦൫-ൽ ൧,൦൭൦ നിയമനങ്ങൾ നടന്നിട്ടുള്ളതിൽ ൨൫-ം, ൧൧൦൬-ൽ ൧,൧൬൭ നിയമനങ്ങൾ നടന്നിട്ടുള്ളതിൽ ൨൨-ം, വീതം മാത്രമെ മുസ്ലീമിങ്ങളുള്ളു എന്നുപറയുന്നു. ഇതൊരു ഭീമമായവ്യത്യാസമാണെന്നു മെമ്പർക്കുതോന്നുന്നുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): മുസ്ലീമിങ്ങളുടെ സംഖ്യ എന്തുകാരണത്താലാണ് കുറഞ്ഞിരിക്കുന്നതെന്നു നിശ്ചയമില്ല; അപേക്ഷകന്മാർ ശരിയായിട്ടില്ലാഞ്ഞിട്ടായിരിക്കാം.

MR. P. S. MAHOMED (*Nominated*): അപേക്ഷകന്മാർ ശരിയായി ഉണ്ടായിരുന്നു എന്നുവരികിൽ ഇതൊരു ഭീമമായ വ്യത്യാസമല്ലെ?

MR. K. GEORGE (*Chief Secretary to Government*): പ്രൊപ്പോർഷനായിട്ടു അപേക്ഷകന്മാരിൽ കുറവുണ്ടായിരിക്കും.

Appointments made in the Secretariat during 1105 and 1106.

249. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of a ppointments made, during 1105 and 1106, in the Secretariat and the number of Muslims who got such appointments?

MR. K. GEORGE (*Chief Secretary to Government*):

Year.	*No. of appointments made.*	*No. of Muslims appointed.*
1105	13	1
1106	17	1

Promotions in the Science College.

250. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether the Principal of the Science College has received a representation from the Tutors of the College regarding inequality in their promotions:

(*b*) if so, whether any action has been taken upon that; and

(*c*) whether promotions are given according to service in the College as in Mysore and Madras?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The answer is in the negative.

(*b*) In view of the answer to part (*a*) above, this question does not arise.

(*c*) Promotions are given according to vacancies in subjects, and in so doing, qualifications, service and efficiency are taken into consideration.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): With regard to part (c), may I know whether there is any objection to the rule or principle, followed in Madras or Mysore, in the matter of promotions of the members of the college staff, being followed here also?

MR. K. GEORGE (*Chief Secretary to Government*): I do not think the member is correct when he suggests that, in Madras or Mysore, promotions are given according to seniority alone, without regard to the subject in the staff of which the vacancy has arisen.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): May I know the principle followed in Madras and Mysore in the matter of these promotions?

MR. K. GEORGE (*Chief Secretary to Government*) My own information is that there also it is according to the subjects that promotions are being made. I think the member is confusing the ordinary members of the college staff there with the Professors who belong to the Imperial Educational Service and form a separate cadre altogether.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Do they have departmental promotions as in our colleges? Here, if there is a vacancy in the English Department in a College, for example, the senior in the English Department is promoted to the vacancy although he may be junior to his colleagues in the History Department. Is that the case in Madras or Mysore?

MR. K. GEORGE (*Chief Secretary to Government*): There also it is exactly as it is here, except in the case of the Professors of the Imperial Educational Service who are in a separate cadre altogether.

Touring work of the Curator for the publication of Oriental Manuscripts.

251. **MR. RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to lay on the table a statement of the circuit undertaken by the Curator for the publication of Oriental Manuscripts for the purpose of collecting *grandhams*, Sanskrit and Malayalam, showing the places to which he has gone and the names of *grandhams* he has secured for publication from each place since he took charge of his office till the end of 1106?

MR. K. GEORGE (*Chief Secretary to Government*): The member is referred to the published Annual Reports of the Department.

Fines collected in educational institutions.

252. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) the amount collected in the shape of fines for late payment of fees during each of the years 1105 and 1106 and also in the first quarter of the year 1107 in—

(i) departmental vernacular schools;

(ii) departmental english schools;

(iii) colleges maintained by the Government in the State;

(*b*) whether they have done or propose to do anything by way of lowering the rates of fines and relaxing the rigour with which such fines are imposed and realised; and

(*c*) whether the present Inspector of English Schools has issued any instructions to his subordinates recently in connection with the same, and, if so, what they are?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) A statement* furnishing the details asked for by the member is placed on the table.

(*b*) The rules regarding the collection of fines have recently been modified as a temporary measure, as a result of which, no fine in excess of four chuckrams in English schools and one chuckram in vernacular schools is levied for late payment of the monthly instalment of fees until the present economic condition improves, and pupils who do not pay their fees with fine on or before the tenth day after the due date are permitted to remain in the class till the end of that month.

(*c*) Yes ; a copy† each of the notices (Nos. 10292/21 and 11525/21 dated the 29th September and 14th November 1931, respectively, issued by the Inspector of English Schools, containing his instructions on the subject, is placed on the table.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know when the order of the Inspector of English Schools came into force ?

MR. K. GEORGE (*Chief Secretary to Government*) . The Inspector issued his circular on the 29th September 1931.

DEPUTY PRESIDENT : I think it is given in the answer itself, in part (*c*).

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) . I want the date on which the circular was *given effect to.*

MR. K. GEORGE (*Chief Secretary to Government*) : It is not specifically stated anywhere in the records, when exactly it was given effect to. So, it must have been given effect to from the date on which it was issued. Obviously, it could not have been effected to before it was issued. It would have been applied for the collection next after its issue.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : I see from the statement furnished that the fines collected in 1106 amount to a larger amount than the fines collected in 1105. Am I to understand that it is for the economic depression that this has been done ?

MR. K. GEORGE (*Chief Secretary to Government*) : The fines for 1106 were collected mostly under the *old* rules. Hence the increase.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know the amount collected as fines during the first half or the first quarter of the year 1106 ?

MR. K. GEORGE (*Chief Secretary to Government*) : I am sorry I have not got the information with me now.

Confirmation of acting teachers.

253. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*) : (1) Will the Government be pleased to lay on the table a statement showing the number of permanent vacancies in the Second Grade Teachers' cadre in the Education Department with the date on which each of these places fell vacant ?

**Vide* Appendix II A—page 753. †*Vide* Appendix II B—page 753.

(2) Are the Government aware that there is at present a large number of acting teachers in the Department who have already put in five years and more of continuous service?

MR. K. GEORGE (*Chief Secretary to Government*): (1) There are 28 permanent vacancies in the general list of graduate teachers of which 5 are in the 1st grade and 23 in the second grade. These vacancies arose between the years 1101 to 1107, both inclusive.

(2) Yes.

Special favours shown to Heads of Departments and other officer's between Karkatakam 1106 and Tulam 1107.

254. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to lay on the table a statement containing the names of the Heads of Departments and other officers to whom special favours in the matter of raising their emoluments were shown between Karkatakam 1106 and Tulam 1107 either in the shape of increments in advance or revision of pay with retrospective effect or grant of personal or any other allowances with the amounts in each case before and after such increase?

MR. K. GEORGE (*Chief Secretary to Government*): A statement* containing the information required by the member is laid on the table.

Statement of officers confirmed with retrospective effect.

255. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of cases in which certain officers were confirmed with retrospective effect;

(*b*) the names of such officers; and

(*c*) the additional amount spent for giving retrospective effect, during the last three years?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*), (*b*) and (*c*), The interpellation is too vague and general. If the member would be more definite as regards the period for which the information is wanted and the class of officers he has in view, the necessary information will be called for.

Ambulance cars in the Medical Department.

256. **MR. K. C. CHANDI** (*Minachil cum Devicolam*): Will the Government be pleased to state:

(*a*) the number of ambulance cars owned by the Medical Department in 1106;

(*b*) whether the cars were in running order throughout the year;

(*c*) if not, the period during which any of the cars was in the workshop; and

(*d*) the number of drivers entertained and the amount of salary paid?

**Vide* Appendix III—pages 754 and 755.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) One.

(*b*) No.

(*c*) Throughout the year it was in the workshop.

(*d*) Two; Rs. 916.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): May I know whether the car was left in the workshop throughout the year because it could not be repaired earlier?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I am not quite sure on that point; it might have been so.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): With reference to part (*d*), am I to understand that the drivers were paid their salaries for the whole period even though the car was in disrepair and lying idle in the workshop?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes: the drivers *were*, of course, paid throughout the year.

Complaint against the headmistress of the V. M. school for girls, Vaikam.

257. **MR. A. NARAYANA PILLAI** (*Vaikam*): Will the Government be pleased to state:

(*a*) whether any complaints have been received against the headmistress of the vernacular middle school for girls at Vaikam; and

(*b*) if so, the action taken by them in the matter?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) The matter is being enquired into.

MR. A. NARAYANA PILLAI (*Vaikam*): പരാതികളെപ്പററി അന്വേഷിക്കാൻ ഏർപ്പാടുചെയ്തിട്ടുണ്ടെന്നുകാണുന്നു. അതു് ഈ ചോദ്യം കിട്ടിയതിനുശേഷമാണൊ?

MR. K. GEROGE (*Chief Secretary to Government*): ഡയറക്ടർതന്നെ അതിലേക്കു ഏർപ്പാടുചെയ്കയാണു ചെയ്തതു്.

MR. A. NARAYANA PILLAI (*Vaikam*): അതു ഈ ചോദ്യം കിട്ടിയതിനുശേഷമാണൊ?

MR. K. GEORGE (*Chief Secretary to Government*): അതു് ഡയറക്ടരുടെ റിപ്പോർട്ടിൽനിന്നും വെളിവാകുന്നില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): ഇതിലേക്കു് ചുമതലപ്പെടുത്തിയിട്ടുള്ളതാരെയാണു്?

MR. K. GEORGE (*Chief Secretary to Government*): ഇൻസ്പെക്ട്രസ്സിനെ.

MR. A. NARAYANA PILLAI (*Vaikam*). അസിസ്റ്റൻറുഇൻസ്പെക്ട്രെസ്സിനെയൊ ചീഫ്ഇൻസ്പെക്ട്രെസ്സിനെയൊ?

MR. K. GEORGE (*Chief Secretary to Government*): ഇൻസ്പെക്ട്രെസ്സ് ഒരാളെ ഒള്ളൂ.

MR. A. NARAYANA PILLAI (*Vaikam*): ഇൻസ്പെക്ട്രെസ്സ് സ്ഥലത്തുപോയിഅന്വേഷണം നടത്തിയിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): അസിസ്റ്റൻറു ഇൻസ്പെക്ട്രെസ്സ്മൂലം അന്വേഷണം നടത്തിയതായിട്ടുപറയുന്നു.

MR. A. NARAYANA PILLAI (*Vaikam*): ഇൻസ്പെക്ട്രെസ്സ്തന്നെഅന്വേഷണം നടത്തണമെന്നു ചുമതലപ്പെടുത്തീട്ടില്ലെ ?

MR. K. GEORGE (*Chief Secretary to Government*): ഇല്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): പരാതിയിൽ അസിസ്റ്റൻറു ഇൻസ്പെക്ട്രെസ്സിൻെറ ആനുകൂല്യംകൊണ്ടാണ് ഹെഡ്മിസ്ട്രസ്സിനു ഈ നടപടി ദൂഷ്യം ഉണ്ടായിട്ടുള്ളതെന്നു പറഞ്ഞിട്ടില്ലെ?

MR. K. GEORGE (*Chief Secretary to Government*): അവർതമ്മിൽ എന്തോ അകന്ന ചാർച്ചയുള്ളതായിട്ടുകാണുന്നു.

MR. A. NARAYANA PILLAI (*Vaikam*): ഇൻസ്പെക്ട്രെസ്സ്തന്നെ പോയി അന്വേഷണംനടത്താൻ ഏർപ്പാടുചെയ്യുമൊ?

MR. K. GEORGE (*Chief Secretary to Government*): അതിൻെറ ആവശ്യമുണ്ടോ എന്നാലോചിച്ചെ പറയുവാൻ തരമുള്ളൂ.

Statement, by caste, of officers, etc., of the Anchal Department.

258. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of the following officers and servants of the Anchal Department:—

(*a*) the number of Gazetted Officers in the month of Mithunam 1106;

(*b*) the number of Anchal Masters and Clerks during the above period;

(*c*) the number of runners and peons during the above period; and

(*d*) the number of volunteers in the Department?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): A statement * containing the information asked for is laid on the table.

Republication of oriental manuscripts.

259. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether any of the publications of the Department for the publication of Oriental Manuscripts has been republished by anybody else without the sanction of Government;

---

* *Vide* Appendix IV— page 756.

[Mr. K. Krishnan Nayar.]

(*b*) if the answer to part (*a*) is in the affirmative, whether the Government incurred any loss on account of such republication; and

(*c*) if so, the action taken in the matter?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The answer is in the negative.

(*b*) and (*c*) In view of the answer to part (*a*), these questions do not arise.

Visit of the Chief Engineer to work-spots.

260. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether the Chief Engineer is in the habit of visiting work-spots when works are in progress; and

(*b*) if so, whether he is in the habit of issuing specific instructions to his subordinates on such occasions?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) The Chief Engineer inspects important works on his own initiative or on the request of the Division Officers concerned. Less important works are inspected, as occasions arise, when the Chief Engineer is on tour.

(*b*) Yes.

Muslim Officers in the Public Works Department.

261. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of Muslim Officers in the Public Works Department of the State?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Seven.

Complaint against Mr. Thanuvan Tampi, Head Constable, Eraniel.

262. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether there was any complaint of corruption in the years 1104, 1105 and 1106 and in the first half of 1107 against Mr. Thanuvan Tampi (No. 101), the present (26-3-1932) Head Constable at the Eraniel Police Station;

(*b*) if the answer to part (*a*) is in the affirmative, the action taken thereon;

(*c*) how many months is it since he was appointed Head Constable at Eraniel;

(*d*) whether it is a fact that not less than 85 per cent. of the period of his service under the Government was spent in Tuckalai, Eraniel and Colachel Stations which are within a radius of 3 to 3½ miles;

(*e*) whether it is a fact that he is a money lender; and

(*f*) whether it is a fact that he is the owner of a vast extent of landed property in the Kalkulam taluk?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) and (*b*) There is no Head Constable in the Trivandrum District having general

number 101. If Head Constable 201, Thanuvan Tampi, is meant, it may be stated that there had been 3 petitions against him during 1104 1105, 1106 and the first half of 1107.

The first petition was from one Krishna Nadan Arulananda Nadan and the allegations were that the Head Constable took bribes. The petition was forwarded by the Commissioner of Police to the District Superintendent for information and return.

The second petition was anonymous and it stated that the Inspector was a puppet in the hands of the Head Constable. The Head Constable was given a transfer to Vilavankod immediately, but as the then Inspector was transferred from Eraniel soon after, the Head Constable was allowed to be in the Eraniel Station as his services were required there in connection with certain important cases.

The third petition was from one Subrahmanyan Karumpan and the complaint was that the Head Constable received an illegal gratification and was spoiling a case. The petition was pseudonymous and was filed.

(c) The Head Constable is not in Eraniel Station now but he is in Tuckalai Station having been transferred from Eraniel in 1107 after a period of 6 years' service there.

(d) The Head Constable has put in a service of about 33 years, and during the latter portion of the service, *i. e.*, from 1088 onwards, for about 19 years, he has been in Eraniel, Colachel, Tuckalai, Edalakudi, Cape and Vilavankod, the service in the latter 3 stations being nearly 1½ years. The service in Eraniel, Tuckalai and Colachel was not continuous as service in Vilavankod, Edalakudi and Cape intervened.

(e) The Head Constable is not known to be a money lender.

(f) The Head Constable holds a mortgage right over 50 cents of land for 2,250 fanams in Kalkulam taluk and another for 4,000 fanams. The Head Constable's wife owns properties worth Rs. 30,000 that came to her share by partition of her *tarwad* properties.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the number of complaints about corruption in the year 1106 alone?

MR. K. GEORGE (*Chief Secretary to Government*): I have not got separate figures for each year.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Are the Government aware that the Head Constable referred to, Thanuvan Tampi, is the leader of a gang of about twenty *chattampies* or K. D.'s. and is thus, with the help of the *chattampies*, knocking out money from the poor people?

MR. K. GEORGE (*Chief Secretary to Government*): Government have no such information.

Hindu Nadars in the Forest Department.

263. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state whether there is a single Hindu Nadar receiving a salary of Rs, 15 or above in the Forest Department?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Yes. There is one who is acting as Forester on Rs. 20.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : May I know the number of applications received in 1106 and in 1107 ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : I have not got the information before me now.

Hindu Nadars in the Registration Department.

264. MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : Will the Government be pleased to state whether there is a single Hindu Nadar receiving a salary of Rs. 30 or above in the Registration Department ?

MR. K. GEORGE (*Chief Secretary to Government*): There is a Hindu Nadar in the Office of the Director of Registration acting as a clerk in the scale of Rs. 25-40.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : Does the Chief Secretary think that the answer given is really an answer to *my* question ?

MR. K. GEORGE (*Chief Secretary to Government*) : It is. An appointment on Rs. 25—40 is considered to be higher than an appointment on Rs. 30.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : My question does not speak of the scale of pay at all. My question is whether there is a single Hindu Nadar, in the Registration Department, drawing a salary of Rs. 30 or more ?

MR. K. GEORGE (*Chief Secretary to Government*) : Government little thought that the member would concern himself so much with the number of rupees that the member of the community is getting just now. That was not considered to be the spirit of the interpellation.

Hindu Nadars in the Secretariat.

265. MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : Will the Government be pleased to state whether there is a single Hindui Nadar receiving a salary of Rs. 45 or above in the Secretariat ?

MR. K. GEORGE (*Chief Secretary to Government*) : There is one acting in the Rs. 40-5-70 scale. He is a permanent clerk drawing Rs. 35 in the Rs. 25-50 scale.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : Is it a fact that the claims for promotion of this Hindu Nadar have been repeatedly overlooked ?

MR. K. GEORGE (*Chief Secretary to Government*) : No.

Hindu Nadars in the Industries Department.

266. MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*) : Will the Government be pleased to state whether there is a single Hindu Nadar receiving a salary of Rs. 15 or above in the Industries Department ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): One Mr. Subrahmanya Nadar was acting for some time in 1105, 1106 and in the beginning of 1107, as an Attender in the Research Laboratory of the Department, and afterwards as a clerk in the Government School of Commerce, Alleppey. He is not now working in the Department.

Action on the proposals of the Banking Enquiry Committee about joint stock companies.

267. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state the steps taken to carry out the suggestions of the Travancore Banking Enquiry Committee in respect of —

(i) empowering the Registrar to inspect the books of the companies; and

(ii) the amendment of the Travancore Companies Regulation, or the enactment of a suitable Banking Law?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (i) and (ii) The suggestions of the Travancore Banking Enquiry Committee referred to are engaging the attention of Government.

Particulars re the English School Leaving Examination in 1107.

268. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of students that have appeared for the English School Leaving Certificate Examination in 1107;

(*b*) the amount collected from them on account of examination fees; and

(*c*) the amount spent out of it on account of examination charges?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 4,625.

(*b*) Rs. 54,852.

54 candidates did not pay examination fees as they belonged to the depressed classes.

(*c*) Answer to this part cannot be furnished now as all items of expenditure connected with the examination have not yet been met.

Appointment of Mr. G. Padmanabha Pillai as Director of Registration.

269. **MR. JOSEPH KUNJU** (*Changanachery cum Peermade*) Will the Government be pleased to state

(*a*) the date on which Mr. Padmanabha Pillai was appointed Director of Registration;

(*b*) whether he has been confirmed in that post; and

(*c*) if not, the reason for not doing so?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Mr. G. Padmanabha Pillai was appointed on 16-9-1106 as Officer in independent charge of the duties of the Director of Registration.

(*b*) No.

[Mr. K. George.]

(*c*) The question of making permanent arrangements in the vacancy is under consideration.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : Part (*c*) "The question of making permanent arrangements in the vacancy is under consideration" എന്നു പറഞ്ഞുകാണുന്നു. ഇപ്പോഴും ഈ വിഷയം ആലോചനയിലിരിക്കയാണൊ?

MR. K. GEORGE (*Chief Secretary to Government*) : അതെ.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) . ഇപ്പോഴും മി: പത്മനാഭപിള്ള തന്നെയാണൊ ആക്ട് ചെയ്യുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*) : അല്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : മി : പത്മനാഭപിള്ളയെ അവിടെ സ്ഥിരപ്പെടുത്താതിരിക്കുന്നതിനുള്ള കാരണമെന്താണെന്നാണു ഞാൻ ചോദിച്ചിരുന്നതു്. അതിനുമറുപടിപറഞ്ഞിരിക്കുന്നതു് ഇങ്ങനെയാണു്.

MR. K. GEORGE (*Chif Secretary to Government*) : അതിൽ മെമ്പറിന്റെ വിഷമം എന്താണെന്നു എനിക്കു മനസ്സിലാകുന്നില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : എന്റെ ചോദ്യം ,, (*a*) the date on which Mr. Padmanabha Pillai was appointed Director of Registration ; (*b*) whether he has been confirmed in that post; and (*c*) if not, the reason for not doing so" എന്നാണു്.

MR. K. GEORGE (*Chief Secretary to Government*) : Because the question of making permanent arrangements is under consideration.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ഇപ്പോഴും അദ്ദേഹം ആക്ടിംഗായി ജോലി നോക്കിക്കൊണ്ടിരിക്കയാണൊ?

MR. K. GEORGE (*Chief Secretary to Government*) : ഇല്ല; ഈ ചോദ്യം ചോദിച്ചപ്പോഴും ഈ മറുപടി എഴുതിയപ്പോഴും അങ്ങനെയായിരുന്നു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : മി: പത്മനാഭപിള്ള വളരെക്കാലം ഈ ഡിപ്പാർട്ടുമെന്റിനെ തന്നെ സേവിച്ചിട്ടുള്ള ഒരാളല്ലെ?

MR. K. GEORGE (*Chief Secretary to Government*) : I do not think, Sir, that arises out of the question. Mr. Padmanabha Pillai is still in that Department.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ഒരു ഇൻസ്ട്രക്ഷൻ ഡയറക്ടരായിട്ടു തന്നെയിരിക്കയാണൊ?

MR. K. GEORGE (*Chief Secretary to Government*) : ഇപ്പോഴും അദ്ദേഹം അവധിയിലിരിക്കയാണ്.

Need for bath rooms on the Warkalai beach.

270. **MRS. ANNA CHANDI** (*Nominated*) : Will the Government be pleased to state:

(*a*) whether they are aware of the existence of perennial fresh water springs at the sea-beach, Warkalai, where hosts of people from different parts of the country gather to bathe ; and

(*b*) if the answer to part (*a*) is in the affirmative, whether they are aware of the great inconvenience caused to women by the want of bath rooms and other arrangements ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : (*a*) Yes. (*b*) No.

MRS. ANNA CHANDI (*Nominated*) : With reference to part (*b*), may I know from the member whether the Government *are aware* of any special convenience provided for women there ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) ; Government have not heard any complaint about the want of bath-rooms there.

MRS. ANNA CHANDI (*Nominated*) : Sir, I think the member has not understood my question. My question is whether the Government are aware of any special convenience there, for women, for bathing purposes ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : No.

MRS. ANNA CHANDI (*Nominated*) : May I take it that, since the Government are *not* aware of any special convenience, they *are* aware of the *inconvenience* ?

MR. A. KUMARA PILLAI (*Ag Secretary to Government*) : It sounds logical, however ; but I do not think it *necessarily* follows.

MRS. ANNA CHANDI (*Nominated*) : May I know the member's exact position when he says that it sounds logical and at the same time it does not necessarily follow ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : When it is stated that the Government are not aware of any special convenience, the question, naturally and, perhaps, *logically* also may be raised whether the Government are not, therefore, aware of the inconvenience. But, my point is that, because the Government are not aware of any special convenience, it does not *necessarily* follow from that that they *are* aware of the *inconvenience*. There is the possibility of the attention of the Government not being drawn to the matter at all.

Preventive measures against the spread of small-pox in Parur.

271. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*) : Will the Government be pleased to state :

(*a*) the measures taken by them to prevent the spread of small-pox in Parur;

(*b*) the number of deaths caused by the disease this year (1107) ; and

(*c*) whether the Sanitary Commissioner has visited the place?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : (*a*) The Sanitary Circle Officer, Perumbavur, visited the infected places; and vaccination in and around the affected localities was pushed on vigorously by him and by the Range Vaccinator.

(*b*) 570, till the 14th April 1932.

(*c*) No.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : With reference to part (*b*), will the member be pleased to state who was the officer responsible for collecting these figures?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The Sanitary Commissioner. I hope the member refers to the figure given in the answer.

MR. K. GOPALAKRIHNA PILLAI (*Parur*) ; May I know why the Sanitary Commissioner did not take any steps when so many deaths had occurred?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : I have not got the information.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Will the Government be pleased to direct him to visit the places and to do the needful hereafter at least?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : If need arises, Government will do it.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Am I to understand that the Government are not satisfied with the number of deaths that have occurred so far? May I know the number of deaths that the Government have fixed in order that they may consider it necessary to give directions to the Sanitary Commissioner to do the needful?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): As it is, Government do not consider it necessary that any special directions should be given to the Sanitary Commissioner.

Meetings of the Retrenchment Committee.

272. **MR. K. C. CHANDI** (*Minachil cum Devicolam*) : (1) Will the Government be pleased to state the number of meetings of the Retrenchment Committee held till now (Meenam 1107) ?

(2) Will the Government be pleased to lay on the table a statement showing the attendance of the non-official members of the Committee?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): (1) There were nine meetings of the Retrenchment Committee up to the end of Meenam 1107 covering 39 days in all.

(2) Mr. K. Narayanaperumal Nadar was present on all the days. Mr. S. Krishna Pillai was absent for 14 days and Mr. A. Thanu Pillai for 1 day.

Retrenchment of salaries of officers.

273. **MR. K. C. CHANDI** (*Minachil cum Devicolam*): Will the Government be pleased to state:

(*a*) if the question of reduction of salaries of the officers in the higher grade was ever considered by the Retrenchment Committee;

(*b*) if so, the date of the meeting of the Committee at which it was considered;

(*c*) whether all the non-official members of the Committee were present at that meeting;

(*d*) whether any final settlement was arrived at, and, if so, what it is; and

(*e*) if not, the reason why the question is kept pending so long?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): (*a*) The question of a temporary reduction in the salaries of the officers of the State up to a certain limit was considered by the Retrenchment Committee.

(*b*) 20-7-1107 and 27-8-1107.

(*c*) Yes.

(*d*) The Committee have recommended that the pay or leave allowance of all Government servants whose pay or leave allowance is not less than Rs. 40 per mensem may be temporarily reduced at the following rates:—

(1) By 5 per cent. in the case of officers whose pay or leave allowance is not less than Rs. 40 per mensem but is less than Rs. 100 per mensem.

(2) By 7½ per cent. in the case of officers whose pay or leave allowance is not less than Rs. 100 per mensem, but is less than Rs. 300 per mensem.

(3) By 10 per cent. in the case of officers whose pay or leave allowance is not less than Rs. 300 per mensem.

(*e*) In view of the answer to part (*d*), this question does not arise.

MR. K. C. CHANDI (*Minachil cum Devicolam*): With reference to part (*d*), may I know the date on which the recommendation was forwarded to Government?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): It must be *after* 27-8-1107.

MR. K. C. CHANDI (*Minachil cum Devicolam*): I want the *date* on which it was forwarded.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I am not in a position to give the information.

MR. K. C. CHANDI (*Minachil* cum *Devicolam*): May I know whether the Government have passed any orders on the recommendation?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*). Final orders have not yet been passed.

Remission of fees on demand notices issued in the second half of 1106.

274. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(*a*) whether orders have been issued by them to the Dewan Peishkars for remitting the fees on demand notices issued in the second half of 1106 and adjusting such fees already realised towards the *kist* due in 1107;

(*b*) if the answer to part (*a*) is in the affirmative, the date and the number of such order; and

(*c*) whether the Dewan Peishkar, Quilon, has issued orders to the Tahsildars that the fees on demand notices remitted in the second half of 1106 should be realised as arrears?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) Government have issued orders that the demand notice fees realised in the 2nd half of 1106 be remitted in the year 1107 on the strength of the Government order R. O. C. No. 2764/31/Rev., dated the 31st July 1931, and the fact noted in the respective *thandapers* of 1107 the balance of tax alone being realised from the ryots during the year 1107.

(*b*) R. O. C. No. 2764/31/Rev., dated 16th April 1932.

(*c*) The answer is in the negative.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): When did the first instalment of *kist* for 1107 fall due?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): On the 15th Vrischikam 1107.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know why there was this long delay in issuing the second order?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I am not in a position to answer that question now. This order relates to the second instalment of *kist* for the year 1106.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes; and it says that the demand notice fees realised in the second half of 1106 must be remitted in the year 1107, and the balance of tax alone realised from the ryots during the year 1107. What I want to know is why this order was not issued before Vrischikam 1107 in which the first instalment of *kist* for 1107 fell due. As it is, on account of the delay in the issue of the order, the ryots could not get the benefit of the adjustment of the demand notice fees, paid in 1106, towards the dues of 1107.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The first order was issued in July 1931. The question then arose as to how the amount already realised as demand notice fees in 1106 was to be adjusted. And then, the Government issued revised orders.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Am I to take it that it took from July 1931 till April 1932 for the Government to think of this question as to how the amount realised was to be adjusted ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It has taken so much time; that is all I am able to see from the file.

Settlement of kudivila claims.

275. MR. N. A. SUNDARAM PILLAI (*Tovala*): Will the Government be pleased to state:

(*a*) the usual period of time allowed for receiving objections to the claims of estate owners for the *kudivila* on teak logs removed and disposed of by the Forest Department after the publication of notice in the *Government Gazette*; and

(*b*) whether the time prescribed is governed by any rules passed by the Forest Department or by the Government ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Two months.

(*b*) There is no rule for fixing the period. But a reasonable time is allowed not exceeding two months in each case.

Housing of Courts in Nagercoil.

276. MR. N. A. SUNDARAM PILLAI (*Tovala*): Will the Government be pleased to state:

(*a*) whether it is a fact that the Courts of the Stationary Magistrate, Honorary Bench Magistrates and Panchayat Judges, Nagercoil, are held in a private rented building; and

(*b*) if so, the amount of rent paid annually ?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Rs. 480.

Development of bamboo cultivation.

277. MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): Will the Government be pleased to state if any regular schemes have been formulated and started for the propagation of bamboos ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The answer is in the negative.

Appointment of a legal adviser to the Land Mortgage Bank.

278. MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): With regard to the Land Mortgage Bank in Trivandrum, will the Government be pleased to state:

(*a*) who are the applicants for the post of legal adviser to the said Bank:

[Mr. N. K. Krishna Pillai.]

(b) whether the Board of Directors recommended anybody for that place;

(c) whether the Government have refused to accept that recommendation, and, if so, on what grounds;

(d) whether any communal consideration weighed with the Government in rejecting the recommendation of the Board;

(e) whether the Board has been asked to recommend another name: and

(f) whether the appointment has been made?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*):

(a) Messrs.

1. Philipose Matthai, B. A., B L.
2. K. I. Chandi, B. A., B. L.
3. M. K. Krishnan Nayar, B. A., B. L.
4. A. J. Rama Varma Raja, B. A., B. L.
5. P. Habeeb Mahomed, M. A., B. L.
6. K. S. Govinda Pillai, B. A., B. L.
7. R. Kaimal, M. A., LL. B.
8. K. C. Chakko, B. A., B. L.
9. K. P. Madhavan Pillai, B. A., B. L.
10. R. Muthuswamy Aiyar, B. A., B. L.
11. V. Anantarama Aiyar.
12. A. George Varghese, B. A., B. L.
13. V. Setunatha Sarma, M. A., B. L.
14. H. Srinivasa Aiyar, B. A., B. L.
15. James Fletcher, B. A., LL. B.
16. T. K. Velu Pillai, B. A., B. L.
17. C. Oommen, B. A., B. L.
18. P. C. Eipe, B. A., B L.
19. M. K. Narayana Pillai, B. A., Barrister-at-Law.
20. K. Eapen, B. A., B. L.
21. M. Chockalingam Pillai, B. A., B. L.
22. A. J. John. B. A., B. L.
23. P. N. Madhavan Pillai, B. A., B. L.
24. K. Madhavan Unnittan, B. A., B. L.
25. S. Narayana Aiyar, M. A., B. L.

(b) Yes.

(c) Government accepted the recommendation of the Board of Management.

(d), (e) and (f) The questions do not arise.

Preservation of Malayazhma records in the C. V. Records Office.

279. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*):- Will the Government be pleased to state whether some of the members of the last Sri Mulam Popular Assembly met the Dewan on a deputation and

made a representation urging the immediate necessity of taking proper measures for the preservation of old *Malayazhma* records in the Central Vernacular Records Office and what action was taken thereon?

MR. K. GEORGE (*Chief Secretary to Government*): The representation is receiving attention.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): What is the sort of attention that this matter has been receiving at the hands of Government?

MR. K. GEORGE (*Chief Secretary to Government*): A scheme has been drawn out; and, since it involves some financial demands, it has been forwarded to the Financial Secretary for his remarks.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the scheme was drawn out after the representation was made?

MR. K. GEORGE (*Chief Secretary to Government*): No; before that.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the scheme was drawn out in accordance with the proposals which, I understand, had been made by the officer in charge of the Section?

MR. K. GEORGE (*Chief Secretary to Government*): The scheme has been drawn up by the officer in charge of the Section himself; and he submitted it to Government before the representation was made in the Assembly.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): So, am I to understand that, in pursuance of the representation made in the Assembly, practically nothing has been done?

MR. K. GEORGE (*Chief Secretary to Government*): There was no necessity to do anything on the representation in the Assembly, since a scheme, *on the lines suggested in the Assembly*, had already been prepared and submitted to Government.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether, in pursuance of the representation made by the members of the Assembly, the Dewan himself went and inspected this Records Office?

MR. K. GEORGE (*Chief Secretary to Government*): Yes; and I was also present with him then.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): When was the scheme formulated?

MR. K. GEORGE (*Chief Secretary to Government*): The officer submitted the scheme in June 1931.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether that scheme related to the general reorganisation of the Records Office or only to the Malayalam Section of it?

MR. K. GEORGE (*Chief Secretary to Government*): All the records are in vernacular; the question as to how the *Malayazha* records must be dealt with was also included in the scheme.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Am I to understand that, in pursuance of the representation made, by the members of the Sri Mulam Popular Assembly, with special reference to *Malayazhma* records, practically no action has been taken?

MR. K. GEORGE (*Chief Secretary to Government*): I have already stated, Sir, that a scheme, on the lines suggested by the members of the Assembly, had already been drawn up, and had been forwarded by the Government to the Financial Secretary for his views on the financial aspect of the scheme.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether there is any prospect of the scheme being finally disposed of?

MR. K GEORGE (*Chief Secretary to Government*): It depends on the finances at the disposal of Government.

Grant of loans from the Land Mortgage Bank.

280. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): (1) With reference to the applications for loans from the Land Mortgage Bank, will the Government be pleased to lay on the table a statement showing the total number of applications received up to date (25-8-1107) and also the total amount applied for, as distributed among the several taluks of the State?

(2) Will the Government be pleased to state:

(*a*) how many of the applications are from Government officers as such and how many from agriculturists and the amounts applied for from these two classes, respectively;

(*b*) how many applications were rejected by the Board; and

(*c*) how many times the Board of Directors of the Bank met?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*):

		Rs.
(1) 120	...	1,92,883
Tovala	...	4
Trivandrum	...	9
Neduvangad	...	2
Pattanapuram	...	3
Changanachery	...	18
Kottayam	...	8
Kartikapalli	...	7
Ambalapuzha	..	9
Quilon	...	
Pattanamtitta	...	11
Karunagapalli	...	7
Mavelikara	...	3
Todupuzha	...	
Muvattupuzha	...	
Tiruvalla	...	
Minachil	...	11
Neyyattinkara	...	3
Chirayinkil	...	2
Vaikam	...	1
Kunnattur	...	2

(2) (*a*) There are no applications from Government officers as such.

The second part of the question does not arise in view of the answer to the first part.

(*b*) Eleven.

(*c*) Four.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know whether there is any order or circular prohibiting Government officers from applying for loans from the Bank ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): f the main occupation of any Government officer happens to be agri- Iulture, and if his main income is from agriculture, he can apply for a coan. That is the rule.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know whether the Government have fixed any standard for that purpose ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The rule is that, if an officer's income from agiculture is more than his salary from the Government, he can apply for the loan.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : With reference to the answer to part (2) (*a*), are the Government aware that officers have ap- lied in the names of their wives or other relations ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Money is to be advanced only on the security of immovable property. So, the wives or other relations of the officers would get the loan only if they own immovable property.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know whether the Government have issued any instructions to the Bank to the effect that, in considering the applications (for loans) of Government servants, their relative income from agriculture as well as from the Government must be taken into consideration ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The rules are clear on the point.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : So far, has any amount been disbursed as loan ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : No.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Is it due to the delay on the part of the Revenue Officers in sending up their reports ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : Mostly. I think there are now about fifteen cases ready for action. There was some delay in the appointment of the Legal Adviser to the Bank.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know whether there is any understanding as to the distribution of the money available to the various taluks in the State ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : No.

Supply of drinking water to the inhabitants of Ullur in the Trivandrum taluk.

281. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): Will the Government be pleased to state what action, if any, has been taken to sink a well for supplying drinking water to the people of Ullur in the Trivandrum taluk ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): An estimate for Rs. 810 has already been sanctioned and the work will be taken up when funds become available.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): In view of the pressing necessity for drinking water in the locality, will the Government be pleased to issue orders for the well being sunk as early as possible ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Yes; Government will do it.

Inspection of co-operative societies by the Dewan Peishkars.

282. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state :

(*a*) whether any of the Dewan Peishkars has ever inspected a co-operative society as provided for in the Co-operative Societies Regulation ; and

(*b*) if so, the names of the Peishkars, the names of the societies inspected and the dates of inspection ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) The answer is in the negative.

(*b*) This does not arise, in view of the answer to part (*a*) of the question.

MR. A. THANU PILLAI (*Trivandrum*): Do the Government know whether any of the Dewan Peishkars is aware of the provision in the Co-operative Societies Regulation ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): Government have no information as to whether the Peishkars are aware of the provision or not.

MR. A. THANU PILLAI (*Trivandrum*); Do the Government expect the Peishkars to be aware of the provision ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*). As a matter of fact, Mr. Matthen, when he was Dewan Peishkar, Quilon, inspected a co-operative society; and Mr. Parameswara Aiyar, Dewan Peishkar Trivandrum, has also inspected a society at Neduvangad.

MR. A. THANU PILLAI (*Trivandrum*) ; But the answer to part (*a*) of my question is in the negative.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*). These two inspections were not inspections according to the provision in the Regulation.

MR. A. THANU PILLAI (*Trivandrum*): Perhaps, the Peishkars merely had a look at the building in which the society was being held.

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : There was no formal inspection.

MR. A. THANU PILLAI (*Trivandrum*) : Is this not one of the functions of the Dewan Peishkars?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : It is, according to the Regulation.

MR. A. THANU PILLAI (*Trivandrum*) : According to Government?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : All Regulations are enacted by the Government.

MR. A. THANU PILLAI (*Trivandrum*) : Is there any explanation for the fact that, all these years, none of the Peishkars considered it worth his while to inspect even a single co-operative society as has been provided for in the Co-operative Societies Regulation?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*) : I am not in a position to answer the question.

Filling the vacancy of Mr. C. O. Madhavan in the Secretariat.

283. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*) : Will the Government be pleased to state:

(*a*) whom the Government have appointed as Secretary in the vacancy caused by the appointment of Mr. C. O. Madhavan as Excise Commissioner;

(*b*) whether that appointment was made when there were Assistant Secretaries who had acted as Secretaries on previous occasions and who were drawing the maximum salary of Assistant Secretaries; and

(*c*) what considerations weighed with the Government in appointing as Secretary one from outside the Secretariat over the heads of those who have acted as Secretary?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) Mr. P. Visvanatha Aiyar, B. A., Division Assistant and First Class Magistrate, Chengannur, has been appointed to act as Secretary to Government *vice* Mr. C. O. Madhavan.

(*b*) Yes.

(*c*) It was considered necessary to appoint an officer with executive experience as Secretary to Government.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Was the work, in the Secretariat, of the Officer who was acting as Secretary, found to be unsatisfactory because he had no executive experience?

MR. K. GEORGE (*Chief Secretary to Government*) : Government thought that it would be more advantageous to have, as Secretary, an Officer with executive experience also.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : My question now is whether the work of the officer was found to be unsatisfactory?

MR. K. GEORGE (*Chief Secretary to Government*) : It was a question of *preference*. An officer who had executive experience was *preferred* to one who did not have it.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know whether the Chief Secretary himself has had any executive experience ?

MR. K. GEORGE (*Chief Secretary to Government*) : I had experience as Financial Secretary before I was made Chief Secretary.

Working of co-operative societies in the State.

284. **MR. A. THANU PILLAI** (*Trivandrum*) : Will the Government be pleased to state :

(*a*) whether, in view of the recommendations of the Banking Enquiry Committee, Government have taken any steps to institute an enquiry into the working of the co-operative societies in the State ;

(*b*) if so, what ; and

(*c*) if not, why ?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*); (*a*) and (*b*), Government have already decided to appoint a mixed committee of officials and non-officials to enquire into the present position and report on the future development of the movement. The committee will be appointed early in 1108.

(*c*) This question does not arise, in view of the answer to parts (*a*) and (*b*) above.

Dating of application and petitions presented in Revenue Courts.

285. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*) : Will the Government be pleased to state

(*a*) whether there is any rule requiring proceedings presented before the Revenue Courts to be dated by the parties presenting them or by the officers receiving them ;

(*b*) whether any rule is observed and insisted on by the Revenue Courts in the matter of granting copies of records to applicants to denote on the copies furnished the dates on which they were applied for and delivered ; and

(*c*) if so, whether the different copies of the several records applied for under the same application are required to be separately given such dates ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : (*a*) and (*b*) The member is referred to the answer to his question No. 137 asked on the 21st of April 1932.

(*c*) Every copy will bear an endorsement as required in clause (8) of Rule 2 of the Notification dated the 26th July 1921, giving the dates of application and delivery of the copy, etc.

Leave to Mr. Chacko, Ag. clerk in the Secretariat.

286. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*) : Will the Government be pleased to state :

(*a*) whether it is a fact that one Mr. Chacko, an acting undergraduate clerk in the Secretariat, was given leave to prosecute his collegiate education ;

(*b*) whether acting men have any lien on their posts while on leave ; and

(c) the number of times he joined duty since he got admission in the College?

MR. K. GEORGE (*Chief Secretary to Government*): (a) No leave was granted to Mr. Chacko for prosecuting collegiate education.

(b) No.

(c) He was given acting appointments whenever he was available in the office when vacancies occurred.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Is Mr. Chacko on leave?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Has he applied for leave?

MR. K. GEORGE (*Chief Secretary to Government*): No; he has not. He wanted permission to be relieved so that he might join the college.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): So, he is not in service now?

MR. K. GEORGE (*Chief Secretary to Government*): No; he is not in the service now.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): How many times has he joined duty and how many times has he been relieved?

MR. K. GEORGE (*Chief Secretary to Government*): Twice, I think; that is what I find from the records.

The Madras Medical College and the Travancore students therein.

287. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(a) whether it is a fact that Travancore students in the Madras Medical College have to pay a fee of Rs. 400 per annum, while the British Indian students need pay only Rs, 200 per annum;

(b) whether they are taking steps to enable the Travancore students to study in the Madras Medical College for the fees paid by the British Indian students; and

(c) whether they are taking steps to reserve a fixed number of seats in the Medical College for the admission of Travancore students?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (a) to (c). Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) May I know the steps that have been taken by the Government in the matter?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*). We are in correspondence with the Surgeon-General, Madras.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it likely to benefit the students who seek admission this year?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): We have asked him whether the Madras Government would be pleased to reserve some seats for the Travancore Students; and his reply is awaited.

Reversion of Mr. V. Kumara Pillai of the Devaswom Commissioner's Office.

288. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) the reasons for reverting Mr. V. Kumara Pillai, B. A., B. L., from the Head Accountant's post in the Devaswom Commissioner's Office to the Account Office, effecting a reduction of Rs. 15 in his pay;

(*b*) whether he was not provisional in the Head Accountant's post;

(*c*) if so, whether it is not opposed to the provisions of Article 71 of the *Service Regulations* to revert a provisional employee before the expiry of the vacancy; and

(*d*) if the reversion was ordered as a punishment, whether any charges were framed against him and whether his explanation was called for?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) and (*b*). Mr. V. Kumara Pillai, B. A., B. L., was a permanent clerk in the scale of Rs. 40-5-70 in the Account Office and provisional Head Accountant in the Devaswom Commissioner's Office on Rs. 75-5-100 in a permanent vacancy. The Account Officer objected to his being kept provisional in a permanent vacancy. Mr. Kumara Pillai had therefore to be either confirmed or sent back. He was unwilling to be confirmed as Head Accountant in the Devaswom Commissioner's Office. He himself admitted that he may be reverted when it is advantageous to himself or whenever his services are not required in the Devaswom Department. He was accordingly reverted to his substantive post in the Account Office as his services in the Devaswom Department were also not found useful.

(*c*) and (*d*). These do not arise, in view of the answer to parts (*a*) and (*b*).

Sub-Assistant Surgeons without the prescribed qualifications.

289. **MR. RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state:

(*a*) the number of Sub-Assistant Surgeons in service who have none of the registrable qualifications prescribed in the Act of Madras or Bombay or Calcutta or other Indian Province;

(*b*) their names; and

(*c*) their qualifications?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) 22.

(*b*) and (*c*) A statement* containing the information is laid on the table.

MR. RAMA VARMA RAJA (*Edavagai*): അപ്പെൻഡിക്സ്, പാർട്ട് രണ്ട്.—ഇതിൽ "Trained in the Catherine Booth Hospital, Nagercoil" എന്നുപറയുന്നു. അവിടെ ട്രെയിനിംഗ് കൊടുക്കാൻ സ്ക്കൂളുണ്ടോ?

---

* *Vide* Appendix V—page 757.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): മുമ്പെ അവിടെ സ്ക്കൂളുണ്ടായിരുന്നു. ഇപ്പോഴുണ്ടോ എന്നറിഞ്ഞുകൂടാ.

MR. RAMA VARMA RAJA (*Edavagai*): നെയ്യൂരിൽ സ്ക്കൂളുണ്ടോ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അവിടെയും മുമ്പുണ്ടായിരുന്നു. ഇപ്പോളില്ല.

MR. RAMA VARMA RAJA (*Edavagai*): ക്വാളിഫിക്കേഷനില്ലാത്തവരെയും ഡാക്ടർമാരായി നിയമിക്കുന്ന പതിവുണ്ടോ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ഡിപ്പാർട്ടുമെൻറിൽ വളരെകാലത്തെ എക്സ്പീരിയൻസുണ്ടായിരുന്നാൽ ആക്കാം.

MR. RAMA VARMA RAJA (*Edavagai*): എസ്. സാമുവൽ എന്നുപറയുന്നയാളിനെ നിയമിച്ചിട്ട് എത്രകൊല്ലമായി?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): തല്ക്കാലം അതിൻെറ ഇൻഫർമേഷൻ ഇല്ല.

Representation of Veluttedattu Nayar in the Sri Mulam Popular Assembly.

290. **MR. A. S. DAMODARAN ASAN** (*Mavelikara cum Kartikapalli*): Will the Government be pleased to state:

(*a*) whether they are aware that the Veluttedattu Nayar community has a population of about 25,000 in Travancore;

(*b*) whether the above community has requested the Government, through memorials and resolutions, for nominating a representative from among them to the Sri Mulam Popular Assembly; and

(*c*) whether any person has been nominated to the Assembly from that community till now, and, if not, the reason for the same?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) Yes.

(*c*) The answer to the first part is in the negative. No special reason can be assigned why a member of any particular community has not been nominated to the Sri Mulam Popular Assembly. In making nominations, Government select members of communities which have failed to secure representation by election. Where all communities cannot be represented at the same session, Government consider the claims of communities which have failed to secure representation by election or nomination at previous sessions.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Has a member of the Veluttedattu Nayar community ever been elected to the Assembly till now?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No, as far as I remember.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It is stated in the answer to part (*c*) of my question that, in making nominations, Government select members of communities which have failed to secure representation by election. Have the Government ever nominated a member of the Veluttedattu Nayar community which has not so far been able to get representation by election?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No. Their claims will be considered hereafter.

Voting strength of the constituencies of the Legislative Council.

291. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to lay on the table a list of the general constituencies for the Legislative Council election with the number of voters in each constituency?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): A statement* containing the information asked for is laid on the table.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it not clear from the statement furnished that there is great disparity between the different constituencies in their voting strength?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There *is* disparity in some cases.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In one constituency it is 12,000 odd, while in another it is only about 4,000.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): I have already stated that there *is* disparity in the matter.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Do the Goverument intend to remove the defect?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): It will be considered before the next general elections.

Sub-Registry Offices abolished and proposed to be abolished in 1107.

292. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): (1) Will the Government be pleased to lay on the table a list of the Sub-Registry Offices that have been abolished from the beginning of 1107 and of those that are proposed to be abolished during the course of that year with the number of documents registered by, and the amount of income derived from, each of such offices from 1104 to 1106?

(2) Will the Government be pleased to state:

(*a*) whether any office from which the income obtained or in which the number of documents registered is less than that of any of the offices included in the answer to part (1) is to be continued; and

(*b*) the net saving that is estimated for this year (1107) by the abolition of the offices contained in the answer to part (1)?

Vide Appendix VI– page 758.

MR. K. GEORGE (*Chief Secretary to Government*): (1) A list† containing the information in regard to the offices that have been abolished during 1107, is placed on the table. Orders have not been passed in regard to the abolition of any other offices during the year.

(2) (*a*) No temporary office from which the income obtained or in which the number of registration is less than that of any offices included in the answer to (1) has been retained. But the same cannot be said of the permanent offices.

(*b*) The net saving that is estimated for this year by the abolition of the offices mentioned above is Rs. 11,824.

Work of the Sub-Assistant Surgeon deputed for filarial survey.

293. **MR. K. P. MADHAVAN PILLAI** (*Shertallai*): Will the Government be pleased to state:

(*a*) the date on which the Sub-Assistant Surgeon deputed for filarial survey took charge of his new duties;

(*b*) whether he possesses any technical qualifications for filarial survey; and

(*c*) the nature and extent of his work?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) 16th Mithunam 1105.

(*b*) The qualification of a Sub-Assistant Surgeon and the training he possessed, in addition to the special training he had from Dr. W. P. Jacocks, were found to be sufficient for the work he is entrusted with.

(*c*) The Sub-Assistant Surgeon examines the resident population for incidence of filarial diseases and obtains blood films at night. He also collects mosquitoes for dissection in the laboratory and does a certain amount of microscopical work. In malarial survey also, he examines persons for splenic enlargement and takes blood films for examination.

Abolition of the Sub-registry Office, Pandalam.

294. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) whether they have received a memorial from the people of Pandalam regarding the abolition of the Sub-Registry Office there;

(*b*) whether they have considered the hardships of the people on account of its abolition; and

(*c*) what will be the loss to the Government per annum by the retention of the office there?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Yes. The proposals of the Retrenchment Committee include the abolition of the temporary Sub-Registry Office at Pandalam. This has been ordered to be abolished from the 1st Medam 1107.

(*c*) The cost of the establishment *viz.*, Rs. 2,886-15-3 may be regarded as a loss, as the work of that office will naturally go to other offices.

---

† *Vide* Appendix VII—page 759.

Answering of interpellations.

295. **MR. JOSEPH KUNJU** (*Changanachery* cum *Peermade*): Will the Government be pleased to state the reason why many of the interpellations sent by the members of the Legislative Council in conformity with the rules and within the prescribed time have not been answered?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): In the case of the interpellations in respect of which the necessary information is available in the Secretariat, answers are furnished without any delay. In the case of others, material for a reply is called for from the Heads of Departments and other officers concerned. If a question involves the collection of much material or of information not readily obtainable, time must necessarily elapse before an answer can be prepared. The nature of the question, the number of questions and the amount of work devolving on the Secretariat, Heads of Departments and the District Officers, account for the delay in answering them. The Heads of Departments and other officers are required to supply the particulars necessary as expeditiously as possible, so that each question may be answered at the meeting for which it has been notified. If they are received in time, the question concerned will be answered at that meeting. But if they come in after the meeting is over, they will be furnished at the next meeting provided the question has not lapsed.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഏതു മുറയനുസരിച്ചാണു സാധാരണ ചോദ്യങ്ങൾക്കു ഉത്തരം നൽകാറുള്ളതു്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ഉത്തരം തയ്യാറാകുന്ന മുറയനുസരിച്ചാണു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഈ ചോദ്യത്തിനു ഉത്തരം ആരാണു് തയ്യാറാക്കേണ്ടതു്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ഹജൂർ ആഫീസിൽനിന്നുമാണു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഇവിടെ "In the case of the interpellations in respect of which the necessary information is available in the Secretariat, answers are furnished without any delay". എന്നു പറഞ്ഞിരിക്കുന്നു. ഈ ചോദ്യം ഞാൻ കഴിഞ്ഞ സെഷനിൽ ചോദിച്ചിരുന്നതാണെന്നറിയാമൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അറിയാം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സെക്രിട്ടറിയേറ്റിൽനിന്നുംതന്നെ ഉത്തരം തയ്യാറാക്കാവുന്ന ഈ ചോദ്യത്തിനു കഴിഞ്ഞ സെഷനിൽ മറുപടി തരാതിരുന്നതിനുള്ള കാരണമെന്താണു്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അതിപ്പോൾ പറയാൻ നിവൃത്തിയില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഈ ചോദ്യത്തിനു ആരോടു ചോദിച്ചാൽ മറുപടി ലഭിക്കുമെന്നു പറയാമൊ

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): മെംബർ ആവശ്യപ്പെട്ട കാരണം ഇപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ലെന്നാണു ഞാൻ പറഞ്ഞതു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഇങ്ങനെയുള്ള ചോദ്യങ്ങൾ സ്വീകരിക്കുന്നതിനും അവയുടെ മറുപടികൾ തയ്യാറാക്കുന്നതിനും ഡിപ്പാർട്ടുമെൻറു മേധാവികളിൽനിന്നും വരുത്തേണ്ടവിവരങ്ങൾ വരുത്തുന്നതിനും വമ്പിച്ച ശമ്പളത്തിൽ ഉദ്യോഗസ്ഥന്മാരെ നിയമിച്ചിട്ടുണ്ടെന്നറിയാമൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അറിയാം. ഞാനുംകൂടിയാണു് ആ ജോലി വഹിക്കുന്നതു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): തക്കസമയത്തു ഉത്തരം നൽകാതിരിക്കുന്നതു് ആ ഉദ്യോഗസ്ഥൻെറ വീഴ്ചകൊണ്ടാണെന്നറിയാമൊ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അങ്ങിനെയാണെന്നു വിചാരിക്കാൻ തരമില്ല. മററു പല കാര്യങ്ങൾകൊണ്ടും അതു സാധിക്കാതെവന്നു എന്നും വരാം.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒരേ ചോദ്യം ഒന്നിലധികം മെംബർമാർ ചോദിച്ചിരുന്നാൽ അവയെല്ലാം ഒരുമിച്ചുത്തരം പറയുന്നതല്ലെ കുറെക്കൂടി സൌകര്യം?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ചോദ്യത്തിനു പൂർണ്ണമായി ഉത്തരം പറഞ്ഞിട്ടുണ്ടു്. ഇതിൽ കൂടുതൽ പറയുവാൻ ഇപ്പോൾ നിവൃത്തിയില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഉപചോദ്യമാണു ഞാൻ ഇപ്പോൾ ചോദിക്കുന്നതു്.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ഇപ്പോൾ ഇതിൽ കൂടുതൽ പറയുവാൻ നിവൃത്തിയില്ല.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ലജിസ്ലേററീവ് സെക്ഷൻെറ മേധാവിയാരാണു ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ലജിസ്ലേററീവ് കൌൺസിൽ സെക്രട്ടറിയാണു്.

DEPUTY PRESIDENT: Mr. Visvanatha Aiyar has already told you that he has nothing more to add.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ലജിസ്ലേററിവ് കൌൺസിൽ സെക്രട്ടറിയും ഇപ്പോൾ മറുപടിപറയുന്ന മെമ്പറും ഒരാൾതന്നെയാണ്. അതുകൊണ്ടാണു ഞാൻ ഈ കാലതാമസത്തെപ്പററി ചോദിക്കുന്നതു്.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): മുമ്പുണ്ടായിട്ടുള്ള കാലതാമസത്തെപ്പററി ഇപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ല. ഞാൻ ഈ ജോലിയിൽ പ്രവേശിച്ചിട്ടു കുറച്ചുകാലമേ ആയിട്ടുള്ളു.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒരേചോദ്യംതന്നെ ഒന്നിലധികം മെംബർമാർ ചോദിച്ചാൽ അവക്കെല്ലാം ഒന്നിച്ചു ഉത്തരംപറയുന്നതല്ലേ കുറേക്കൂടി സൌകര്യപ്രദം?

DEPUTY PRESIDENT: He has answered you, Mr. Joseph Kunju. Have you any other supplementary question?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): സർ, ഒരേ ചോദ്യം മൂന്നു നാലു മെംബർമാർ ചോദിച്ചിട്ടുണ്ടായിരുന്നു. അതിലൊരുത്തൻ ഞാനാണ്. മററുള്ളവക്കെല്ലാം മറുപടി നൽകികഴിഞ്ഞു. എനിക്കുമാത്രം ഇതുവരെയും മറുപടിനൽകിയിട്ടില്ല. ഇതു ഇപ്പോഴത്തെ സെക്രട്ടറി ചാൎജെടുത്തശേഷമുള്ള ഒരു സംഭവമാണ്.

DEPUTY PRESIDENT: Have you any other supplementary question?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): ഒരേചോദ്യംതന്നെ ഞങ്ങൾ നാലു മെംബർസ് ചോദിച്ചിട്ടുണ്ടായിരുന്നു.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): ചോദ്യങ്ങൾ പല സന്ദർഭങ്ങളിലായിട്ടു വന്നിരിക്കാം. ആ സ്ഥിതിക്കു അതെല്ലാം ഒന്നിച്ചു ഉത്തരം പറയാൻ സാധിക്കാതെവരാം.

May I proceed to the next question, Sir?

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*): മറുപടി എന്താണെന്നു ഞാൻ കേട്ടില്ല.

DEPUTY PRESIDENT: Obviously Mr. Visvanatha Aiyar feels that you are now taking him by surprise. No purpose would be served by your repeating the question any more.

ഇതിൽ കൂടുതലായി മറുപടിപറയുവാൻ ഇപ്പോൾ അദ്ദേഹത്തിനു നിവൃത്തിയല്ലെന്നാണു സെക്രട്ടറി പറയുന്നതു്.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*). ഇൻവെസ്റ്റിച്ചർ ഡർബാർ സംബന്ധിച്ചുള്ള വിശേഷാൽ ഗസററിൽ ലജിസ്ലേററിവ് കൌൺസിൽമെംബർമാരുടെ പേരു പ്രസിദ്ധീകരിക്കാതിരുന്നതിനുള്ള

കാരണത്തെപ്പററി ഞങ്ങൾ മൂന്നപേർ ചോദ്യം ചോദിച്ചിരുന്നു. അതിൽ എനിക്കമാത്രം മറുപടി നൽകിയിട്ടില്ല. അതിനുള്ള കാരണമെന്താണ്?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): അതിപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ല എന്നു ഞാൻ എത്രയോപ്രാവശ്യം പറഞ്ഞുകഴിഞ്ഞു.

Appointment of vernacular school teachers.

296. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether there is a G. O. to the effect that for every nine teachers appointed from the waiting list of vernacular school teachers, there must be one initial appointment from the depressed or backward communities;

(*b*) the date of that G. O.;

(*c*) the number of teachers appointed by the Chief Inspector of Vernacular Schools since the passing of the G. O. till the end of the first half of 1107; and

(*d*) the number of teachers appointed from the backward and depressed communities during that period?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes. A G. O. has been issued to the effect that for every 9 teachers taken from the waiting list one should be from the depressed and unrepresented communities.

(*b*) 25th September 1931.

(*c*) 26.

(*d*) 24.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the number of teachers appointed from the depressed communities alone?

MR. K. GEORGE (*Chief Secretary to Government*): The information has been given in part (*d*) of the answer. Almost all the recent appointments have been made from the depressed and backward communities so as to make up the required percentage.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know, by caste, the number of appointments made from the various depressed classes after the G. O. was issued?

MR. K. GEORGE (*Chief Secretary to Government*): I have not got the information now.

Organisation of village panchayats.

297. **MR. S. CHATTANATHA KARAYALAR** (*Pattanapuram cum Shencotta*): With regard to the organisation of village panchayats, will the Government be pleased to state:

(*a*) when they propose to constitute the panchayats in the selected areas; and

(*b*) whether they have come to a decision in regard to the constitution of a panchayat in Samburvadakara?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): (*a*) The areas selected for the establishment of village panchayats have been declared as villages under Section 3 (3) of the Village Panchayat Regulation. The Dewan Peisbkars are taking the further steps for the constitution of village panchayats such as the preparation of the electoral roll, etc.

(*b*) No: the report of the Dewan Peishkar has been received, and it is under consideration.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): With reference to the answer to part (*b*), may I know the subject-matter of the Report referred to in the answer?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): The report is about the constitution of a village panchayat at Samboor-vadakarai.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencottah*): When was the report received by the Government?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Only very recently; and it is under consideration.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): How long has it been under the consideration of Government?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): For the last nearly two weeks.

Inspection of companies by the Registrar of Joint Stock Companies.

298. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*). Will the Government be pleased to state:

(*a*) whether it is a fact that the Registrar of Joint Stock Companies is not visiting the offices of all the companies at least once every year as required by the rules; and

(*b*) if the answer to part (*a*) is in the affirmative, whether the Registrar has submitted any proposals or whether the Government have taken any steps to remedy the defect?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): (*a*) Yes;

(*b*) The Registrar has submitted certain proposals for the better inspection of companies and the matter is engaging the attention of Government.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): With regard to part (*b*), may I know the date on which the proposals were sent to the Government?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The first proposal was sent to Government in November 1929.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know the corresponding Malayalam date?

MR. A. KUMARA PILLAI (*Ag. Secretary to Government*): The member will please refer to the calendar or the almanac.

Answering of interpellations in the Legislative Council.

299. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*): Will the Government be pleased to state the order in which questions are answered in the Legislative Council?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There is no particular order in which questions are answered. All the answers ready for any meeting of the Council are furnished to the Council at that meeting, a certain number of answers being set apart for each day of the meeting.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): It is stated in the answer that there is no particular order in which questions are answered. Does the member consider it a proper answer to my question?

MR. P. VISAVANATHA AIYAR (*Ag. Secretary to Government*): The subsequent sentences in the answer make the idea clear.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Are the questions being answered in a haphazard manner?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No. Questions are answered as their answers get ready and get passed by the President.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Questions sent up by some members are not answered at all in any session. Will the member be pleased to arrange the questions in the order in which they are received by him?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There is no use in merely arranging the *questions*. It is the *answers* that the members want. Some answers are readily obtained, while others take time. And, questions are arranged in the order in which their answers get ready. We are trying our best to answer as many questions as possible. The member will see that a hundred and one questions have been answered this day alone.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): My complaint is that, while *all* the questions sent up by some members are answered, *none* of the questions sent up by some other members is answered.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): Government do not make any such distinction.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Will it not be possible to answer at least some of the questions sent by each member of this Council?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Governnment*): As I have already stated, that is not how the question must be viewed. We answer questions in the order in which their answers are got ready.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Where is the difficulty in making it a rule that at least a few questions of each member must be answered in each meeting of the Council?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): There is a good deal of practical difficulty in doing that. It is almost impossible to do it. If the member will kindly come to my office, I shall try to explain it to him.

Ill-treatment of persons arrested for disobedience of the prohibitory orders of the District Magistrates in Dhanu and Makaram 1107.

300. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*): Will the Government be pleased to state:

(*a*) the number of arrests made in the State for disobeying prohibitory orders of the District Magistrates in Dhanu and Makaram 1107;

(*b*) whether it is true that the arrested men were ill-treated while they were under trial;

(*c*) if the answer to part (*b*) is in the affirmative, whether they approved of such treatment; and

(*d*) if they did not, the action taken by them against those who were responsible for it?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Twenty-three arrests were made in the Trivandrum District for attempting to hold meetings in disobedience of the prohibitory order issued by the District Magistrate, Trivandrum. There were no arrests in the other Districts.

(*b*) The answer is in the negative.

(*c*) and (*d*). In view of the answer to part (*b*), these do not arise.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Did the Government make any enquiry, in regard to part (*b*) of my question, after they received my question?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Are the Government aware of the statements published, in some of the local Vernacular newspapers, by some of the prisoners, that they were ill-treated in the jail?

MR. K. GEORGE (*Chief Secretary to Government*): Yes; there was some complaint in some of the papers.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): What action did the Government take on such complaint in the papers?

MR. K. GEORGE (*Chief Secretary to Government*): The information is not before me now.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Will the Government be pleased to enquire into the matter?

MR. K. GEORGE (*Chief Secretary to Government*): If the member wants an answer to the specific question whether any action was taken on the report in the newspapers about the alleged ill-treatment of these prisoners, I think he will have to ask a fresh question.

MR. K GOPALAKRISHNA PILLAI (*Parur*): Is it suggested that the statement in the papers is untrue?

MR. K. GEORGE (*Chief Secretary to Government*): I have not read the statements myself. How can I say off-hand whether they are true or false?

MR. K. GOPALAKRISHANA PILLAI (*Parur*): Was the attention of the Government drawn to these newspaper reports?

MR. K. GEORGE (*Chief Secretary to Government*): I have not got the information now.

Meeting held in front of the Municipal Office, Nagercoil, on 21-5-1107

301. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether any public meeting was held in front of the Municipal Office, Nagercoil, on the 21st Dhanu 1107;

(*b*) if the answer to part (*a*) is in the affirmative, the names of the speakers;

(*c*) whether it is a fact that the meeting was dispersed by the intervention of the Police;

(*d*) whether any *lathi* charge was made;

(*e*) if the answer to part (*d*) is in the affirmative, the number of persons grievously wounded by the Police;

(*f*) why the Reserve Police was brought to the spot from Trivandrum;

(*g*) the cost incurred by the Government therefor;

(*h*) the name of the then Assistant Superintendent of Police, Nagercoil; and

(*i*) the approximate strength of the crowd?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) No public meeting was held, but there was a proposal for a meeting under the leadership of Messrs. M. E. Naidu, M. Sivatanu Pillai and Sheik Tampi Pavalar on the 21st Dhanu 1107.

(*b*) In view of the answer to part (*a*), this does not arise.

(*c*) No.

(*d*) The answer is in the negative.

(*e*) In view of answer to part (*d*), this does not arise.

(*f*) With a view to meet any emergency and avert an anticipated breach of the peace that would have resulted if the meeting was held against the prohibitory order of the Additional District Magistrate, Padmanabhapuram.

(*g*) Rs. 67-1-12.

(*h*) Mr. S. Alagappa Pillai.

(*i*) Twenty thousand people approximately.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Are the Government aware of the high-handedness of the Police in dispersing the crowd of 20,000 people at Nagercoil, on the 21st Dhanu 1107?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Are the Government aware whether any public meeting was held on that day?

MR. K. GEORGE (*Chief Secretary to Government*): Government are aware of the fact that there was an attempt to hold a public meeting there on that day.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*); What is the minimum number of persons necessary to hold a public meeting?

MR. K. GEORGE (*Chief Secretary to Government*): As many as you can get. (*Laughter.*)

Conduct of the Alleppey Police in connection with the arrest of congress workers.

302. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to place on the table a copy of the report of the Commissioner of Police regarding the alleged high-handedness of the Alleppey Police in the recent arrests of Congress workers?

MR. K. GEORGE (*Chief Secretary to Government*): The report is a confidential document. It cannot, therefore, be laid on the table.

Enquiry into the conduct of the Police in connection with the arrest of congress volunteers at Alleppey.

303. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*) Will the Government be pleased to state:

(*a*) whether the enquiry regarding the incidents alleged to have taken place at Alleppey in connection with the arrest of volunteers who disobeyed the prohibitory order is over;

(*b*) whether the Commissioner of Police has submitted any report;

(*c*) the nature and method of the enquiry conducted by the Commissioner;

(*d*) whether evidence is taken from respectable citizens of Alleppey who are non-officials; and

(*e*) whether evidence is taken *in camera* or in public?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) An enquiry was conducted at Alleppey by the Commissioner of Police at his camp office, and it is completed.

(*b*) Yes.

(*c*) He examined various signatories to a pamphlet that alleged excesses by the Police, other residents of Alleppey, and a convicted volunteer, besides examining the District Superintendent and the Inspector of Police, Alleppey.

(*d*) Yes.

(*e*) The evidence was recorded by the Commissioner in his camp office.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Will the member be pleased to give the names of the respectable citizens who gave evidence before the Commissioner of Police?

MR. K. GEORGE (*Chief Secretary to Government*): One Mr. Krishna Menon, and eight others had been summoned by the Commissioner of Police. I have got the list before me; I do not know if it would be profitable to read it out.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Did all these nine gentlemen give evidence?

MR. K. GEORGE (*Chief Secretary to Government*): Four of them did not appear before the Commissioner. All the rest gave evidence.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know the names of those who gave evidence?

MR. K. GEORGE (*Chief Secretary to Government*): Mr. Krishna Menon, Mr. A. G. Vurghese, Dr. Panikkar, Mr. Rajagopala Reddiar and Mr. Haroon Tyeb Sahib.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Was any evidence taken from any person other than those who were signatories to the pamphlet?

MR. K. GEORGE (*Chief Secretary to Government*): Yes; Dr. Panikkar, Mr. Reddiar and Mr. Haroon Tyab Sahib were not signatories to the pamphlet. A convicted congress volunteer, Mr. V. Sivarama Pannikkar, was also examined.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Is that volunteer the brother of one Mr. Gopala Panikkar, an Inspector of Police?

MR. K. GEORGE (*Chief Secretary to Government*): I do not know that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): What is the substance of the report submitted by the Commissioner of Police?

MR. K. GEORGE (*Chief Secretary to Government*): That is given in the answer to the next question.

"They are satisfied that no excessive or unjustificable force was used in arresting those found breaking the law."

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether evidence was taken with regard to the question of violence at the time of the arrest alone or also with regard to the violence in the lock-ups?

MR. K. GEORGE (*Chief Secretary to Government*): I think evidence was taken with regard to the use of violence during the arrests and also in the lock-up. The latter is still under enquiry.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I take it that the report of the Commissioner deals only with the question of violence during arrest?

MR. K. GEORGE (*Chief Secretary to Government*): I have not seen the report.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Will the member be pleased to tell me whether the conclusions contained in the report are the necessary inferences drawn from the evidence collected?

MR. K. GEORGE (*Chief Secretary to Government*): It must be so.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether it would be possible for the Government to place a copy of the report on the table?

MR. K. GEORGE (*Chief Secretary to Government*): It is confidential.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the Government consider that the enquiry that has been conducted is sufficient?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, so far as the alleged violence at the time of arrest is concerned. In regard to the alleged ill-treatment of the prisoners in the *lock-up*, the District Magistrate, Quilon, has been asked to conduct an enquiry.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether the report contains anything about the violence against the public?

MR. K. GEORGE (*Chief Secretary to Government*): I have not seen the report.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether, in the enquiry to be conducted by the District Magistrate, Quilon, the question of violence against the public is also included as a subject of enquiry?

MR. K. GEORGE (*Chief Secretary to Government*): The wording of the reference is general. He has to enquire carefully into the allegations of ill-treatment of the prisoners by the Police in the Alleppey lock-up,

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether there is no enquiry on the alleged violence against the prisoners when they were arrested and *taken* to the lock-up?

MR. K. GEORGE (*Chief Secretary to Government*): The District Magistrate has not been asked to enquire into the alleged violence against the arrested persons *on their way* to the lock-up.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Do the Government really believe that, except the statement of the victims, any other evidence is *possible* in regard to the violence in the lock-up?

MR. K. GEORGE (*Chief Secretary to Government*): The victims themselves can give their statements to the District Magistrate. He may also make enquiries of the bystanders and neighbours. If any violence had been used, it would have attracted a crowd and the people who formed the crowd would know it.

Conduct of the Alleppey Police in connection with the arrest of picketing volunteers.

304. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) whether their attention has been drawn to the strong public resentment against the alleged inhuman conduct of the Police against the picketing volunteers in Alleppey;

(*b*) whether they are aware of a printed pamphlet published on the 15th Kumbham 1107 over the signatures of thirty-three respectable gentlemen of Alleppey protesting against the action of the Alleppey Police;

(*c*) whether some of the members of the Sri Mulam Popular Assembly waited on a deputation before the Dewan and represented the grievances of the public against alleged Police high-handedness in connection with the same; and

(*d*) the action, if any, taken by Government in the matter?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*), (*b*) and (*c*). Yes.

(*d*) Government have enquired into the allegations made concerning Police action in Alleppey. They are satisfied that no excessive or unjustifiable force was used in arresting those found breaking the law. A further enquiry has been ordered to be made on the allegations of ill-treatment of prisoners while in the lock-up.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know from the member whether, other than the report of the Commissioner, the Government have any evidence on the matter?

MR. K. GEORGE (*Chief Secretary to Government*): The Dewan appears to have made some personal enquiry in the Alleppey town.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Did the Dewan conduct an open enquiry?

MR. K. GEORGE (*Chief Secretary to Government*): I do not think he did that.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the findings of the Government on this matter are based entirely on the report of the Commissioner of Police?

MR. K. GEORGE (*Chief Secretary to Government*): The Dewan also has made enquiries in the Alleppey town.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the Dewan, when he went to Alleppey, recorded any evidence?

MR. K. GEORGE (*Chief Secretary to Government*): I do not think he did that. But a further enquiry has been ordered.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Is it to be conducted by the District Magistrate, Quilon?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the District Magistrate has been ordered to make an enquiry with reference to the allegations made against the conduct of the Police while the volunteers were *being taken* to the lock-up *after* arrest?

MR. K. GEORGE (*Chief Secretary to Government*): A further enquiry has been ordered to be made on the allegations of ill-treatment of the prisoners *in* the lock-up.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): My question is whether the District Magistrate has been ordered to enquire into the allegations made against the conduct of the Police while the prisoners were *being taken* to the lock-up *after* arrest.

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the allegations made against the Police do not refer specifically to the conduct of the Police *while they took* the prisoners to the lock-up?

MR. K. GEORGE (*Chief Secretary to Government*): I believe the allegations refer to that also.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I have myself seen the pamphlet referred to in the question; and I find that there *are* serious allegations in it with regard to the ill-treatment of the arrested volunteers *on their way* to the lock-up also. May I know whether the District Magistrate will be ordered to conduct an enquiry also with reference to this matter?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): What the Government have stated in their answer is only that they are satisfied that no excessive or unjustifiable force was used *in arresting* those found breaking the law. But my question is about the conduct of the Police *after* arrest.

MR. K. GEORGE (*Chief Secretary to Government*): The Commissioner of Police enquired into that allegation also.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): What does his report say?

MR. K. GEORGE (*Chief Secretary to Government*): It says that no excessive or unjustifiable force was used.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): The answer refers only to the force used *in arresting* those found breaking the law, and not about the conduct of the Police *after* arrest.

MR. K. GEORGE (*Chief Secretary to Government*): But the Commissioner of Police seems to have enquired into the other question also.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*); Has the Commissioner of Police examined any witness?

MR. K. GEORGE (*Chief Secretary to Government*): He says he has.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Does he say that in his report?

MR. K. GEORGE (*Chief Secretary to Government*): He just now told me that he has.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Will the member be pleased to place on the table a statement of the persons examined?

MR. K. GEORGE (*Chief Secretary to Government*): No; it is confidential.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Since the Government themselves admit that there has been strong resentment as to the alleged conduct of the Police, may I know whether they will be pleased to direct an enquiry being conducted by an impartial committee consisting of officials and non-officials?

MR. K. GEORGE (*Chief Secretary to Government*): I am unable to answer that question, Sir.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): I rise to a point of order, Sir. The time allotted for the answering of interpellations is only one hour; and that has expired.

DEPUTY PRESIDENT : There is no absolute rule like that. There are only a few questions more and I shall allow the time, taken up for them, towards the close of the day.

Payment of grants to Municipalities.

305. **MR. K. GOPALAKRISHNA PILLAI** (*Parur*) : Will the Government be pleased to state :

(*a*) the basis on which grants are given to Municipalities by the Government;

(*b*) the names of the Municipalities receiving grants from the Government; and

(*c*) the names of the Municipalities that had applied for grants?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) (*a*) The financial condition of the Municipalities is the chief consideration.

(*b*) Haripad, Trivandrum, Neyyattinkara and Padmanabhapuram for the current year [1107].

(*c*) The question is vague as the member has not specified the year or years for which the information is wanted.

Nomination of persons receiving grants from Municipalities as members thereof.

306. **MR. K. KUNJUKRISHNA PILLAI** (*Quilon*) : Will the Government be pleased to state:

(*a*) whether they generally nominate persons, receiving grants from Municipalities, as members thereof;

(*b*) whether one Mr. Nilakantan Vaidyan receives a grant from the Quilon Municipality; and

(*c*) whether he is nominated a member of the said Municipality by the Government, and, if so, why?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : (*a*) No.

(*b*) Yes.

(*c*) Yes, to represent an unrepresented minority community in the town.

Abolition of the Sub-Registry Office at Kotamangalam.

307. **MR. K. P. ABRAHAM** (*Muvattupuzha cum Todupuzha*) : Will the Government be pleased to state;

(*a*) whether they received any petition from a deputation representing the inhabitants of Kotamangalam and the neighbouring *pakuthies* objecting to the proposal for the abolition of the Kotamangalam Sub-Registry Office; and

(*b*) the final decision of the Government on the same?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) Yes.

(*b*) The matter has not been decided finally.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*) : May I know the date on which the petition was received by Government?

MR. K. GEORGE (*Chief Secretary to Government*) : Certain resolutions were passed at a public meeting by the people of Kotamangalam

[Mr. K. George.]

on the 20th Vrischigom 1107. The petition signed by Mr. Tariatu Kunjitomman and others is dated the 3rd Dhanu 1107.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): When was it received in the office?

MR. K. GEORGE (*Chief Secretary to Government*): A few days hence.

Stationary Magistrate's Court at Chengannur.

308. **MR. K. I. KOCHEEPPAN MAPPILLAI** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of cases filed in the Stationary Second Class Magistrate's Court, Chengannur, from 1098 till 1106;

(*b*) whether there is any rule or understanding as to the number of cases which should appear on the file of a Stationary Magistrate's Court during one year; and

(*c*) the number of cases pending for more than one year in the Stationary Magistrate's Court, Chengannur?

MR. K. GEORGE (*Chief Secretary to Government*):

(*a*)	1098	...	735 cases.
	1099	...	808 cases.
	1100	...	914 cases.
	1101	...	894 cases.
	1102	...	965 cases.
	1103	...	1,238 cases.
	1104	...	1,256 cases.
	1105	...	928 cases.
	1106	...	903 cases.

(*b*) The answer is in the negative.

(*c*) Six cases of 1106 were pending for more than one year.

Abolition of certain Sub-Registry Offices.

309. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): Will the Government be pleased to state:

(*a*) whether there was a single Sub-Registry Office worked at a loss to Government during the year 1106;

(*b*) how many Sub-Registry Offices were worked at a profit exceeding 20 per cent. in the same year;

(*c*) the reasons that led them to order the abolition of a few Sub-Registry Offices;

(*d*) whether there were no complaints received from the people against the abolition of these Sub-Registry Offices; and

(*e*) if not, whether these Sub-Registry Offices were abolished with the approval of the officer in charge of the Department?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) No.

(*b*) 82 out of 84 offices excluding Devicolam and Peermade were worked at a profit exceeding 20 per cent. in the year.

(c) the reasons which led to the abolition of these offices were:—

(1) the perceptible fall in the number of documents registered in the offices during 1106 as compared with the previous years;

(2) the appreciable fall in revenue from those offices; and

(3) the need for retrenchment in expenditure.

(d) A few complaints were received from the people against the abolition of these Sub-Registry Offices.

(e) The offices were abolished in pursuance of the measures suggested to Government by the Retrenchment Committee and the Account Officer, though the officer in charge of the Department had not fully approved their abolition.

Smuggling of drugs from the Kottayam District Hospital.

310. **MR. K. C. CHANDI** (*Minachil* cum *Devicolam*): Are the Government aware that petty chemists in the town of Kottayam are selling drugs smuggled from the Kottayam District Hospital?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No.

Qualification of candidates for Music Examination.

311. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(a) whether it is a fact that there is a rule to the effect that candidates appearing for the Music Examination should have passed the Sixth Class in the Vernacular School; and

(b) if so, whether any other standard has been recognised as equivalent to that?

MR. K. GEORGE (*Chief Secretary to Government*): (a) Yes.

(b) Yes; Second Form standard of recoginsed English Schools of the State.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): With regard to the answer to part (b), may I know whether the Government will consider the question of revising the Rule so as to enable, also those candidates who have studied up to a certain standard in Sanskrit Schools, to appear for the examination?

MR. K. GEORGE (*Chief Secretary to Government*): That will be referred to the Director of Public Instruction.

Grant-in-aid to teachers of aided Sanskrit schools.

312. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(a) whether the grants to teachers of aided Sanskrit schools have been reduced recently; and

(b) if the answer to part (a) is in the affirmative, the reasons for doing the same?

MR. K. GEORGE (*Chief Secretary to Government*): (a) Yes.

(b) Owing to the present financial stringency, it was possible to provide this year only a reduced sum for payment of grant-in-aid to the teachers of aided Sanskrit Schools and hence only 75 per cent. of the sanctioned amount of grant to aided Sanskrit Schools is allowed.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know the amount of the grant, given to the teachers of aided Sanskrit Schools, before the recent reduction of 25 per cent. was made?

MR. K. GEORGE (*Chief Secretary to Government*): I find that varying amounts were being given for teachers of different classes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Are the Government aware that, at the time of the revision of the scales of pay of the Vernacular School teachers, a reduction was made in the grant to the teachers of Sanskrit Schools?

MR. K. GEORGE (*Chief Secretary to Government*): I am not sure of that.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Was not that placed before the Government when they effected this further retrenchment?

MR. K. GEORGE (*Chief Secretary to Government*); No. The reduction was made merely because there was no money.

MR. A. S DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know why the teachers of Sanskrit Schools alone should suffer?

MR. K. GEORGE (*Chief Secretary to Government*): Reductions have been made, I think, in other branches also.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Were the rates, of the grant-in-aid to teachers of other schools, reduced?

MR. K. GEORGE (*Chief Secretary to Government*): I do not think the rates have been reduced; but, the amount allowed for other teachers of aided institutions has been reduced.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Then why should the rates, of grants-in-aid to teachers of Sanskrit School alone, be reduced?

MR. K. GEORGE (*Chief Secretary to Government*): Because, it was one way of effecting retrenchment.

MR. A. S DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it because Sanskrit education is less important or because these teachers are now receiving fat salaries?

MR. K. GEORGE (*Chief Secretary to Government*): Neither; but because there was no money.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) May I know whether these facts were considered by Government in effecting the retrenchment?

MR. K. GEORGE (*Chief Secretary to Government*): The main question that was considered was the scarcity of money,

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*); So, Government have not looked into the other important aspects of the question?

MR. K. GEORGE (*Chief Secretary to Government*): This cut was inevitable. Reductions may be made in other cases also.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Are not the Government aware that the amount given to the teachers of the III and IV classes is only five rupees ?

MR. K. GEORGE (*Chief Secretary to Government*) : Government are aware of that.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is it not hard that it should be further reduced by 20 per cent ?

MR. K. GEORGE (*Chief Secretary to Government*) : I have already said that it was inevitable.

Statement, by caste, of appointments made in the Medical Department during 1105—1107.

313. **MR. P. S. MAHOMED** (*Nominated*) : Will the Government be pleased to lay on the table a statement, by caste, of the appointments made in the Medical Department as ministerial and other lower grade officers since 1105 up to the end of Kumbham 1107 ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : A statement *containing the information required by the member is laid on the table.

Health Officers in the Nagercoil and Quilon Municipalities.

314. **MR. K. PADMANABHA PANIKKAR** (*Ambalapuzha*) : Will the Government be pleased to state whether the Nagercoil and Quilon Municipalities have appointed Health Officers for those municipal towns ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : The Nagercoil Municipality has an officer with the designation "Health Officer". The Quilon Municipality has not appointed a Health Officer.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*) ; May I know what the qualifications of the Health Officer, Nagercoil, are ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : I have not got the information here.

The Travancore Almanac and Directory for 1932.

315. **MR. K. P. ABRAHAM** (*Muvattupuzha* cum *Todupuzha*) : With reference to the *Travancore Almanac and Directory for 1932,* will the Government be pleased to state :

(*a*) the name of the officer responsible for its preparation ;

(*b*) the source wherefrom he collected the information contained therein ;

(*c*) up to what date the particulars in that book are corrected ;

(*d*) whether the touring map and the map of the Trivandrum town attached to it represent the actual roads and railways existing on the date of publication of the book ;

---

* *Vide* Appendix VIII—page 762.

[Mr. K. P. Abraham.]

(*e*) whether they are aware of the following errors occurring at page 627 of that book :—

(i) the list of pleaders at the Parur Bar is stated incorrectly, including in it the names of some pleaders who died long before its publication, while omitting the names of pleaders who were actually practising at the Parur Bar when the book was published ; and

(ii) the High Court Vakils practising at the Parur Bar are not all marked so in the list ; and

(*f*) if the answer to part (*e*) be in the negative, whether they will make enquiries and ascertain the actual state of affairs ?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The Chief Secretary to Government assisted by one of the Assistant Secretaries.

(*b*) From the several officers and institutions and from the Secretariat itself.

(*c*) Up to the 15th December each year.

(*d*) and (*e*) (i) and (ii). The answer is in the negative.

(*f*) Yes.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*): With regard to part (*d*), may I know when this map was prepared ?

MR. K. GEORGE (*Chief Secretary to Government*): It is not known when it was originally prepared.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*) : If it did not represent the actual facts as they existed at the time of the publication, may I know why the changes were not incorporated ?

MR. K. GEORGE (*Chief Secretary to Government*) ; Steps will be taken to remedy the defect and to see that the map is brought, as far as possible, up-to-date. But, in some cases, it cannot be brought up-to-date as changes may take place while the map is in the press.

Minimum qualifications for Health Officers of Municipalities in Travancore and British India.

316. **MR. K. PADMANABHA PANIKKAR** (*Ambalapuzha*): Will the Government be pleased to state the minimum qualification of Health Officers of the Municipalities in Travancore and in British India ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): No minimum qualification has been prescribed for Health Officers in Municipalities in the State. Information is not available about the minimum qualification prescribed for Municipal Health Officers in British India.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*) : May I know whether the Government have prescribed any qualification for the Health Officers in the Municipalities ?

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*) : No.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*) : Is there any way of preventing the appointment of ill-qualified men as Health Officers?

MR. P. VISVANATHA AIYAR (*Ag. Seretary to Government*) : Government will not sanction the appointment of persons not qualified for the post.

Discharge or dismissal of constable recruits while under training.

317. **MR. K. KRISHNAN NAYAR** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) the number of constables discharged or dismissed while under recruit training in the Reserve on charges of criminal conviction or of any other defect of character prior to their enlistment, during the last five years;

(*b*) if the answer to part (*a*) is in the affirmative, who is responsible for enlisting such men?

(*c*) the action taken against the officer or officers, if any, responsible for their enlistment;

(*d*) whether it is a fact that a constable so enlisted is now in the lock-up of the Tuckalai Police Station on a charge of house-breaking and theft;

(*e*) if so, who certified to his character; and

(*f*) the action taken against the officer responsible for his enlistment?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 609 constables were entertained during the last 5 years, and two were discharged for the grounds shown.

(*b*) The Commissioner of Police on the recommendation of his subordinates.

(*c*) In one instance an Inspector was officially reprimanded. In the other the Inspector, an acting officer, was not considered sufficiently culpable to merit punishment.

(*d*) No. A constable so enlisted is now in the lock-up on a charge under Section 394 of the *Travancore Penal Code* (voluntarily causing hurt while committing or attempting to commit robbery), and as the case is still before the Court it cannot be said whether he is guilty or not guilty.

(*e*) The local Inspector.

(*f*) No action has, as yet, been taken against the Inspector. He reported on the man's character on the 17th Kanni 1107 and the date of commission of the alleged offence was over two months later and just prior to the formality of entertainment by the Commissioner.

Appendix I.

Vide Answer to Question No. 248.

Statement, by caste, of appointments made in Vernacular Schools in 1105 and 1106.

Caste.	1105		1106	
	*Permanent appointment.	Acting appointment.	*Permanent appointment.	Acting appointment.
I. HINDUS.				
1. Brahmins (Malayala) ...	...	7	...	6
2. Do. (Others) ...	...	58	...	54
3. Nadars ...	...	15	2	12
4. Ezhavas ...	1	61	5	76
5. Kammalas ...	...	15	1	9
6. Kshatriyas ...	...	4	...	2
7. Nayars ...	2	537	18	595
8. Pulayas ...	...	4	2	6
9. Other depressed classes ...	...	...	...	3
10. Vellalas ...	...	36	...	20
11. Other Hindus ...	...	61	...	100
II. MUSSALMANS.	...	25	...	22
III. CHRISTIANS.				
1. Protestants ...	...	33	6	35
2. Roman Catholics				
(a) Latin rite ...	...	23	4	32
(b) Syriac rite ...	..	37	7	39
3. Syrians				
(a) Jacobite ...	...	84	4	85
(b) Mar Thoma ...	1	75	8	70
4. Church of England ...	...	1	...	...
V. OTHERS ...	...	4	...	2
Total ...	4	1,080	57	1,168

* The permanent appointments relate to the Girls Schools branch only.

Appendix II A.

Vide **Answer to Question No. 252.**

Statement of fines collected in educational institutions during 1105—1107.

Year.	Departmental Vernacular Schools.			Departmental English Schools.			Colleges maintained by the Government.		
	Rs.	ch.	c.	Rs.	ch.	c.	Rs.	ch.	c.
1105	4,531	5	0	4,745	3	4	1193	27	10
1106	5,308	24	12	5,895	0	8	1408	7	8
First quarter of 1107.	1,462	24	0	1,807	0	6	601	21	0

Appendix II B.

Vide **Answer to Question No. 252.**

No. 10292-21.

Office of the Inspector of English Schools, Trivandrum,
29th September, 1931.

NOTICE

Headmasters of English Schools and Assistant Inspectors are informed that Government have ordered that no fine in excess of 4 Chs. in English Schools and 1 Ch. in Vernacular Schools should be levied for late payment of fees, this modification being given effect to tentatively until the present economic depression improves.

All the other provisions relating to the realisation of fees will be retained.

(By order),
P. S. Sivaswami Aiyar,
Personal Assistant to the Inspector.

No. 11525-21.

Office of the Inspector of English Schools, Trivandrum,
14th November, 1931.

NOTICE.

In continuation of this office Notice No. 10292-21 dated 29-9-31, Headmasters of English Schools and Assistant Inspectors are informed that pupils who failed to pay an instalment of fees with the fine on or before the tenth day after the due dates need not be sent out of the class but may be permitted to continue in class till the end of the month to which the instalment relates. If they do not pay before the end of the month the fee with the fine they should be sent out of the class on the first day of the succeeding month.

This concession also is only tentative until the present economic depression improves.

(By order),
P. S. Sivaswami Aiyar,
Personal Assistant to the Inspector.

Appendix III.

***Vide* Answer to Question No. 254.**

Statement of officers whose emoluments were raised during Karkatakam 1106 to Tulam 1107.

No.	Name and designation of officers.	Total emolument. Before revision. Rs.	ch	c.	After revision. Rs.	ch	c.	How emoluments were raised.
1	N. Krishnamurthi Aiyah, Secretary to Dewan Bahadur T. Raghaviah in connection with the Round Table Conference	125 P. T. A. 30	.. ..	.. ..	232	14	..	By sanctioning a deputation allowance of Rs. 107-14-0 during deputation.
2	T. R. Padmanabha Rao, Manager, Office of the Director of Registration (now retired)	125	..	..	150	..	..	By sanctioning a personal allowance of Rs. 25 P. M.
3	P. Mahadeva Aiyar, Private Secretary to the Dewan	200 D. A. 50	.. ..	.. ..	225 (D.A.) 50 275	.. .. ..	.. .. ..	By appointing him as an Assistant Devaswom Commissioner on Rs. 205 per mensem. The increased pay was given effect to only from the date of his taking charge as Assistant Devaswom Commissioner.
4	K. Venkatarama Aiyangar, Superintendent, Huzur Cutchery	153	..	..	160	..	..	Allowed to draw the 2nd increment in his scale from 3-1-1106 instead of from 3-7-1106 as admissible under the rules.
5	R. Nilakanta Pillai, Account Officer and Financial Secretary to Governmet	550	..	..	600	..	..	By revision of the scale of pay of the Account Officer from Rs. 500-50/2-700 to Rs. 500-100/2-700.
6	S. Narayana Aiyar, Superintendent, Account Office	148	..	..	150	..	..	By sanctioning the first increment in the Superintendent's scale from 3-1-1106 instead of from 3-7-1106 as admissible under the rules.
7	R. Aundikrishna Aiyar, Utsavamatom Magistrate	125 L.A. 50	.. ..	.. ..	125 P. A. 50	.. ..	.. ..	L. A. of Rs. 50 which was being drawn by him was converted into Personal Allowance.

Appendix III—(contd.)

No.	Name and designation of officer.	Total emoluments. Before revision. Rs.	ch	c.	After revision. Rs.	ch	c.	How emoluments were raised.
8	K. Paramesvaran Pillai, Acting Director of Agriculture and Fisheries	380	..	..	400	..	..	Acting allowance raised from Rs. 80 to Rs. 100 as per G. O.Dis. 1664/31/Devpt., dated the 17th October 1931.
9	R. Kulathu Aiyar, Anchal Inspector	*200	..	..	200	..	..	On reversion as Anchal Inspector I grade, he was granted a personal pay of Rs. 200, the scale of pay of the post being Rs. 100-5-125. (* Palace Special Officer.)
10	A. O. Jacob, Assistant Surgeon	150	..	..	200	..	..	Maximum pay was given as a special case.
11	R. Venkitarama Dikshitar, Devaswom Commissioner	700	..	..	B. Rs. 900	..	..	Pay raised as a special case.
12	K. Nilakanta Pillai, Acting Assistant Surgeon	125	..	..	S. Rs. 150	..	..	The increased rate was given when he was transferred from the Public Health Department to the Medical Department.
13	K. Kuppuswamy Aiyangar, Sub-Assistant Surgeon	50	..	..	100	..	..	Promoted as I grade Sub-Assistant Surgeon from 16-3-1107, as a special case.
14	P. Matevan Pillai, Acting Panivakai Sheristadar	170 P. A. 20	.. ..	.. ..	200 P. A. 20	.. ..	.. ..	Given the maximum in the scale of pay of I Grade Maramat Circle Officer from the 1st Chingom 1107 as a special case (G. O. D. Dis. No. 1380/31/P. W. dated the 14th September 1931).

Appendix IV.

***Vide* Answer to Question No. 258.**

Statement, by caste, of the officers and servants of the Anchal Department in Mithunam 1106.

Caste.	Inspectors.	Masters & clerks.	Peons & runners.	Volunteers.
Brâhmin (Malayala) ...	...	4	...	...
do. (others) ...	7	67	22	19
Ezhava ...	...	14	23	2
Kammala ...	...	1	...	...
Kshatriya (Malayala) ...	...	1	...	2
Nadar ...	...	...	4	...
Nayar ...	1	105	582	52
Pulaya ...	...	...	6	...
Vellala ...	...	43	54	3
Other depressed classes ...	...	1	18	1
Other Hindus ...	...	9	56	6
Mussalman ...	...	6	7	...
Protestants ...	...	9	6	2
Roman Catholics—Latin rite...	...	4	7	1
do. Syriac rite ...	...	2	9	1
Syrians—Jacobite ...	...	26	58	9
do. Mar Thoma ...	1	29	23	11
Church of England ..	...	1	...	...
Total ...	9	322	875	109

Appendix V.

***Vide* Answer to Question No. 289.**

Statement of Sub-Assistant Surgeons with non-registrable qualifications.

(i) Locally trained in the School at Trivandrum conducted by Government.	1.	K. G. Luke
	2.	N. P. Daniel
	3.	S. Renga Aiyangar
	4.	C. J. Thanu Pillai
	5.	M. G. Sankara Pillai
	6.	V. Chellakan
	7.	T. Thomas
	8.	T. I. Jacob
	9.	P. Frederic N. David
(ii) Trained in the Catherine Booth Hospital, Nagercoil	1.	M. Matthews (Acting)
	2.	B. A. Andrews
	3.	K. G. Simon (Acting)
(iii) Trained in the Neyyur Hospital, Nagercoil.	1.	K. Kuppuswamy Aiyangar
(iv) L. C. P. & S. Calcutta.	1.	C. R. Kesava Pillai
	2.	P. K. Kunjukrishnan
	3.	N. Padmanabhan
	4.	A. Kumaran Nayar
	5.	A. N. Muthuswamy Pillai
	6.	P. C. Kesava Pillai
	7.	J. Venkitachalam Aiyar
	8.	K. Kesavan (Acting)
(v) No qualification.	1.	S. Manuel

Appendix VI.

Vide Answer to Question No. 291.

Statement showing the number of voters of each of the general constituencies of the Legislative Council for the general election, 1106.

	Name of constituency.		*No. of voters.*
1	Trivandrum General Urban	...	6,320
2	Tovala General Rural	...	5,357
3	Agastisvaram Do.	...	7,837
4	Kalkulam *cum* Vilavankod	...	12,342
5	Neyyattinkara Do.	...	4,027
6	Trivandrum *cum* Neduvangad Do.	...	6,506
7	Chirayinkil Do.	...	4,049
8	Quilon Do.	...	3,981
9	Pattanapuram *cum* Shencotta Do.	...	5,178
10	Kottarakara *cum* Kunnattur Do.	...	7,023
11	Karunagapalli Do.	...	6,020
12	Mavelikara *cum* Kartikapalli Do.	...	9,540
13	Ambalapuzha Do.	...	6,203
14	Pattanamtitta Do.	...	5,951
15	Tiruvalla Do.	...	5,406
16	Kottayam Do.	...	6,595
17	Shertallai Do.	...	4,909
18	Vaikom Do.	...	6,005
19	Changanachery *cum* Peermade Do.	...	5,205
20	Minachil *cum* Devicolam Do.	...	7,562
21	Muvattupuzha *cum* Todupuzha Do.	...	7,622
22	Kunnatnad Do.	...	5,219
23	Parur Do.	...	5,251
	Total	...	144,103

Appendix VII.

***Vide* Answer to Question No. 292.**

Statement showing the number of documents registered in and the income derived from the Sub-Registry Offices abolished with effect from 1-1-1107 in each of the years 1104, 1105 and 1106.

No.	Name of office.	No. of documents.			Income.									Remarks.
					1104			1105			1106			
		1104	1105	1106	Rs.	Chs.	C.	Rs.	Chs.	C.	Rs.	Chs.	C.	
1	Chenkal .	..	2725	3919	..	..	..	3,373	14	..	4,836	5	..	Opened from 1-5-1105.
2	Veliyam .	..	2222	2467	..	..	..	3,241	7	..	3,598	12	..	Do.
3	Kollakadavu .	..	1779	2174	..	..	..	3,227	4	8	3,757	19	..	Do.
4	Tevalakara .	4625	3841	3089	7,151	24	8	6,121	3	8	4,665	8	..	
5	Cheppad .	4078	3810	2674	8,732	25	8	8,217	18	8	5,148	13	..	
6	Ranni .	4507	3758	2278	11,246	24	8	9,280	12	4	5,108	12	12	
7	Tonnakkal .	4316	3655	2611	9,266	..	..	8,010	..	..	5,588	..	..	
8	Pandalam .	4510	4065	2742	9,114	..	..	7,799	..	..	4,858	..	..	

Appendix VIII.

***Vide* Answer to Question No. 313.**

Statement of ministerial and other lower grade officers appointed in the Medical Department during 1105—1107.

Designation.	Rs.	Malayala Brahmin.	Other Brahmin	Ezhava.	Kammala.	Kshatriya.	Nadar.	Pulaya.	Vellala.	Other depressed classes.	Nayar.	Other Hindus.	Mahomedans.	Protestant.	R. C. Latin rite.	R. C. Syric rite.	Jacobite.	Mar Thoma.	Church of England.	Total in each grade.
											1105									
Compounders	20-30.	...	2	1	...	...	...	...	3	1	2	...	...	...	...	...	...	1	...	10
Midwives	20-30.	...	...	1	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	3
Clerk	25-40.	...	...	...	..	...	...	...	...	...	1	...	...	...	...	...	...	...	...	1
											1106									
Compounders	20-30.	...	1	2	...	...	...	...	1	1	2	...	...	2	...	...	2	2	...	13
Midwives	20-30.	...	1	5	...	...	...	...	...	5	5	...	...	...	3	...	1	2	...	22
Nurses	25-40.	...	...	...	...	...	...	...	...	...	...	...	...	1	1	...	...	...	...	2
Nurses	15,	...	...	1	...	...	...	...	...	...	...	...	...	1	...	...	...		...	2
Clerks	25-40.	...	3	..	...	...	...	...	...		1	...	...	...	...	...	...	1	...	5
Clerk	20-20.	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	1
											1107									
Clerk	25-40.	...	1	...	..	...	...	...	...	...	...	...	1	...	...	...	...	...	...	2
Tincture Maker	Rs. 75.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1
Nurses	25-40.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...		1

ADJOURNMENT MOTION.

Mr. K. Krishnan Nair handed over to the President notice of a motion to move the adjournment of the House to discuss a definite matter of urgent public importance.

DEPUTY PRESIDENT: Mr. Krishnan Nair has placed in my hands notice of a motion expressing his desire to move for the adjournment of the House to discuss a definite matter of urgent public importance, namely, the absolute necessity for making the enquiry, promised by the Dewan, into the allegations of violence by the Police at Alleppey in connection with the disobedience of the prohibitory orders of the District Magistrate, Quilon, a public enquiry presided over by a judge, assisted by elected representatives of this Council, so as to secure public confidence.

A motion, substantially identical to this was placed in the hands of the President on the first day of this sitting; that has been ruled out. He stated then that an enquiry had already been ordered. I do not think, in the circumstances, I can allow this motion.

Resolution on matters of general public interest.

RESOLUTION RE RESTRICTION AGAINST CHILD MARRIAGE.

DEPUTY PRESIDENT: We are at the resolution, relating to the Sarda Act, moved by Mr. Raja. Mr. R. S. Subramonia Pillai simply seconded it yesterday and he can, if he so desires, make a speech now.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): സർ, ആരോഗ്യംപോലെ അത്ര അതിപ്രധാനമായി ആഗ്രഹിക്കത്തക്കയാതൊന്നും തന്നെ യാതൊരു ജീവിക്കും ഉണ്ടാകാനില്ലെന്നാണ് എന്റെ വിശ്വാസം. ഇതു നിസ്സംശയം ആരും സമ്മതിക്കുന്ന ഒരു കാര്യവുമാണ്. ആരോഗ്യത്തിന്റെ അസ്ഥിവാരം തന്നെ ജനനസമയത്തുള്ള മാതാപിതാക്കന്മാരുടെ ബീജശക്തിയാണ്.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): ബിജശക്തി എന്നു പറഞ്ഞതിന്റെ അർത്ഥം മനസ്സിലായില്ല.

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): അതു ഞാൻ മെംബറെ നല്ലപോലെ മനസ്സിലാക്കിത്തരുകയൊ അല്ലെങ്കിൽ അതിലേക്കുള്ള ശരിയായ വഴി പറഞ്ഞുതരുകയൊ ചെയ്യാം. ജീവികൾക്കു നല്ല പ്രായപൂർത്തി വന്നതിനു ശേഷം ജനിക്കുന്നശിശുക്കൾമാത്രമെ നല്ല ആരോഗ്യമുള്ളവരായിരിക്കൂ എന്നുള്ളതു് അവിതർക്കമായ ഒരു സംഗതിയാണ്. ഇതിനു വൈദ്യശാസ്ത്രത്തിൽ പ്രമാണവുമുണ്ട്. മാതാപിതാക്കന്മാർക്കു പ്രായപൂർത്തി വരുന്നതിനു മുമ്പിലുണ്ടാകുന്ന സന്താനങ്ങൾ പലവിധ രോഗങ്ങൾക്കു വിധേയരായി ഒടുവിൽ അല്പായുസ്സുകളായും ഭവിക്കുന്നു. ഇങ്ങനെയുണ്ടാകുന്ന ശിശുക്കളെ ഏതു തരത്തിൽ തന്നെ പരിരക്ഷിച്ചാലും ഈ ദോഷങ്ങളിൽ നിന്നു മോചനം ലഭിക്കുക

[Mr. R. S. Subramanya Pillai.]

എന്നുള്ളതസാദൃശ്യമാണെന്നുള്ള ആയുർവ്വേദാചാര്യന്മാരുടെ സിദ്ധാന്തവും ഈ അവസരത്തിൽ വിസ്തരിക്കത്തക്കതല്ല. അതുകൊണ്ടുതന്നെയാണു ലോകത്തിലുള്ള ഒരു ശാസ്ത്രവും—എന്നുതന്നെ ഞാൻവിചാരിക്കുന്നു—ബാല്യവിവാഹം അനുവദിക്കാതിരിക്കുന്നതു്. നല്ല സന്താനം വേണമെന്നാഗ്രഹിക്കുന്നപക്ഷം പുരുഷനു ഇരുപത്തിയഞ്ചും സ്ത്രീക്കു പതിനാറു വയസ്സും തികഞ്ഞതിനുമേൽ മാത്രമെ അവരെ ദാമ്പത്യജീവിതത്തിൽ ഏർപ്പെടുന്നതിനും അനുവദിക്കാൻ പാടുള്ളു എന്നാണു് ലോകസമ്മതമായ ആയുർവ്വേദം ഘോഷിക്കുന്നതു്. ഈ സിദ്ധാന്തം ഭാരതീയരുടെ ശരീരസ്ഥിതിക്കു് ഏററവും യോജിച്ചതുമാണു്.

ഭാരതീയരുടെ ശരീരസ്ഥിതിയെക്കുറിച്ചു നല്ലപോലെ ചർച്ചചെയ്തു അതിനു പര്യാപ്തമായി ശാസ്ത്രം എഴുതീട്ടുള്ള തത്വജ്ഞാനികളായ ആയുർവ്വേദാചാര്യന്മാരുടെ ഈ സിദ്ധാന്തത്തിനു വിപരീതമായി ഭാരതത്തിൽ ബാല്യവിവാഹം നടത്തേണ്ടതിന്റെ ആവശ്യകതയെന്താണെന്നു എനിക്കു മനസ്സിലാകുന്നില്ല. കുറഞ്ഞപക്ഷം പതിനാറു വയസ്സെങ്കിലും തികയാതെ ഒരു സ്ത്രീയുടെ അവയവങ്ങൾ പൂർണ്ണ വളർച്ചയെ പ്രാപിക്കുന്നതല്ല എന്നാണു് വൈദ്യശാസ്ത്രം പറയുന്നതു്. അതുപോലെ തന്നെ ഇരുപത്തിയഞ്ചു വയസ്സുതികയാതെ ഒരു പുരുഷന്റെ അവയവങ്ങളും പൂർണ്ണവളർച്ചയെ പ്രാപിക്കുന്നതല്ല. വാഗ്ഭടാചാര്യരുടെ "ശാരീരസ്ഥാനം" എന്ന ഗ്രന്ഥം നോക്കുന്നപക്ഷം ഇതു പ്രത്യക്ഷമായി മനസ്സിലാകും. എന്റെ മാന്യസ്നേഹിതൻ മി: ഇ. വി. കൃഷ്ണപിള്ളയുടെ സംശയം തീരുകയും ചെയ്യും. അവയവങ്ങൾക്കു പൂർണ്ണവളർച്ച ഉണ്ടാകുന്നതിനു മുമ്പു ഗർഭം ധരിക്കാനിടവരുന്ന സ്ത്രീകളുടെ ആയുസ്സ് അവർക്കുണ്ടാകുന്ന ശിശുക്കളുടെ കഥ പറഞ്ഞതുപോലെതന്നെ കുറഞ്ഞുപോകുമെന്നുള്ളതും ആയുർവ്വേദത്തിലെ ഒരു തത്വമാണു്. പല വിധത്തിലുള്ള രോഗങ്ങൾ പിടിപെട്ടു കഷ്ടപ്പെടുന്നതിനും ചിലപ്പോൾ അകാലമൃത്യുവിനുതന്നെയും അകാല ഗർഭധാരണം കാരണമാകുന്നു. എന്നുമാത്രമല്ല ഒരു മാതാവെന്നുള്ള നിലയിൽ ശിശുവിനെ വളർത്തുന്നതിനുള്ള കെല്പും പതിനാറു വയസ്സിൽ കുറഞ്ഞ പെൺകുട്ടികൾക്കുണ്ടാകുന്നതല്ല. ഇവർക്കുണ്ടാകുന്ന ശിശുക്കളുടെ കഥ ഞാൻ മുമ്പെ സൂചിപ്പിക്കയും ചെയ്തു. ഇങ്ങിനെ ബാല്യവിവാഹവും ബാല്യമാതൃത്വവും കൊണ്ടു രാജ്യത്തുള്ള രോഗികളുടെയും അല്പായുസ്സുകളുടെയും സംഖ്യ ക്രമേണ വർദ്ധിച്ചുവരികയും തന്മൂലം രാജ്യംതന്നെ അധഃപതിക്കുകയും ചെയ്യുമെന്നുള്ളതിനു യാതൊരു സംശയവുമില്ല.

ദാമ്പത്യമെന്നാൽ എന്താണെന്നു ഒരു രൂപവുമില്ലാത്ത, അല്ലെങ്കിൽ അതെന്താണെന്നു മനസ്സിലാക്കുന്നതിനു ത്രാണിയില്ലാത്ത, പ്രായത്തിൽ പെൺകുട്ടികളെ വിവാഹം ചെയ്തുകൊടുക്കുന്നതിന്റെ തത്വം എന്താണെന്നു എത്ര ആലോചിച്ചിട്ടും എനിക്കു മനസ്സിലാക്കുവാൻ കഴിയുന്നില്ല. രക്ഷകർത്താക്കന്മാർ തങ്ങളുടെ കുഞ്ഞുങ്ങളോടു ചെയ്യുന്ന ഏററവും വലിയൊരപരാധമാണു ബാല്യവിവാഹം. അതു കുട്ടികളുടെ ഹിതത്തിനു വിപരീതമായിരിക്കാനെ തരമൊള്ളൂ.

MR. JOSEPH KUNJU (*Changanachery* cum *Peermade*) : ബാല്യത്തിൽ കുട്ടികളെ രക്ഷകർത്താക്കന്മാർ എഴുത്തു പഠിപ്പിക്കുന്നതു അവക്കു ഹിതമായിട്ടാണൊ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilvankod*): സന്താനങ്ങളുടെ ഭാവിജീവിതം ശരിയായിനയിക്കുന്നതിനു വേണ്ട വിദ്യാഭ്യാസം നൽകേണ്ടതു രക്ഷകർത്താക്കന്മാരുടെ ചുമതലയാകുന്നു. ബാല്യവിവാഹവും അതുപോലെയുള്ള ഒന്നാണെന്നു് എന്റെ സ്നേഹിതൻ മനസ്സിലാക്കിയതിൽ ഞാൻ വ്യസനിക്കുന്നു. രക്ഷകർത്താക്കന്മാർ തങ്ങളുടെ സന്താനങ്ങളോടു ചെയ്യുന്ന വല്ലദ്രോഹവുമുണ്ടെങ്കിൽ അതു ബാല്യവിവാഹം മാത്രമാകുന്നു. അതിനെക്കാൾ വലുതായ ഒരു ദ്രോഹം അവർ ചെയ്യാനില്ല. നാലും അഞ്ചും വയസ്സുപ്രായമുള്ള പെൺകുട്ടികളെ പിടിച്ചു കല്യാണം കഴിച്ചുകൊടുക്കുന്നതും, കുറെകഴിയുമ്പോൾ അവരിൽ പലരും ബാലവിധവകളായിതന്നെ തീരുന്നതും ഒട്ടും ചില്ലറയല്ല. അതായതു കല്യാണം, ഭർത്താവു്, ഭാര്യ, വിധവ എന്നൊക്കെ പറഞ്ഞാൽ മനസ്സിലാക്കാൻ തക്കപ്രായം വിധവമാരായിതീരുന്ന അവസരത്തിൽപോലും ഇവരിൽപലക്കും ഇല്ലാതിരിക്കുന്നു. ഹാ! ഇതെത്ര ഭയങ്കരമാണു് ചില സമുദായക്കാരുടെയിടയിലുള്ള സ്ത്രീകൾക്കു ശരിയായ സ്ത്രീത്വം വരുമ്പോൾ തന്നെ, ഒരാൾകല്യാണം കഴിച്ചിരുന്നുഎന്നും, ഇപ്പോൾ താനൊരുവിധവയാണെന്നും, ഇനി തന്റെ ജീവിതത്തിൽ കല്യാണം പാടില്ലെന്നും, പോരാ മററുപലവിധത്തിലും തന്നെ ഒരുനികൃഷ്ടയായിട്ടാണു് ലോകം ഗണിക്കുന്നതെന്നും അവൾ സ്വയം മനസ്സിലാക്കുന്നു. അവളുടെ ശകുനം കൂടി പാടില്ലെന്നു വച്ചിട്ടുണ്ടു്. ഈനിലയിലുള്ള ഒരു സ്ത്രീയുടെ ദയനീയസ്ഥിതിയെപ്പററി വിചാരിക്കാൻകൂടി ഹൃദയമുള്ള ഒരുവനു കഴിയുന്നതല്ല.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): വിവാഹം കഴിഞ്ഞയുടനെതന്നെ സന്താനോല്പാദനം നടത്തണമെന്നു നിർബന്ധമുണ്ടോ?

MR. R. S. SURAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): അങ്ങനെ നിർബന്ധമില്ല.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): സന്താനോല്പാദനം പ്രായപൂർത്തി വന്നശേഷമെ പാടൊള്ളുവെന്നു നിർബന്ധിച്ചാൽപോരെ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*). അങ്ങനെ ഒരു നിയമം പാസ്സാക്കുകയൊ അല്ലെങ്കിൽ അതിലേക്കു മറവു വല്ല മാറ്റങ്ങളും എന്റെ സ്നേഹിതൻ കൊണ്ടുവരികയൊ ചെയ്താൽ നിശ്ചയമായും ഞാൻ അതിനെ അനുകൂലിക്കാം.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): വിവാഹത്തിന്റെ ഉദ്ദേശം സന്താനോല്പാദനം മാത്രമാണൊ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam* cum *Vilavankod*): പ്രധാന ഉദ്ദേശം അതാണ് എന്നുവേണം വിചാരിക്കാൻ. ജനസംഖ്യ വർദ്ധിക്കുന്നതിനു സന്താനങ്ങളുണ്ടാകാതെ തരമില്ലല്ലൊ.

ബാലവിധവകളുടെ കാര്യത്തെപ്പററി പറഞ്ഞുകൊണ്ടുവരികയായിരുന്നുവല്ലൊ. ഞാൻ മുമ്പുപ്രസ്താവിച്ചതുപോലെ ബാല്യത്തിൽതന്നെ വൈധവ്യം സംഭവിച്ചില്ലെന്നിരിക്കട്ടെ. ബാല്യവിവാഹംനിമിത്തമുണ്ടാകുന്നഭർത്താവു അവൾക്കു പ്രായപൂർത്തിവരുമ്പോൾ അനുരൂപനല്ലായിരുന്നുവെന്നു വരുകിൽ തൻമൂലം അവൾ സഹിക്കേണ്ടിവരുന്ന ദുഃഖം നിസ്സാരമാണൊ? അതുപോലെതന്നെ ഭാര്യ അനുരൂപയല്ലാതിരുന്നാൽ ഭർത്താവിനുണ്ടാകുന്ന നിരാശ ചില്ലറയാണൊ? ഇങ്ങനെ അന്യോന്യം അനുരൂപരല്ലാതെവരുന്ന—അല്ലെങ്കിൽ പരസ്പരപ്രണയമില്ലാതെവരുന്ന—ദമ്പതികളിൽനിന്നു ജാതരാകുന്നശിശുക്കൾ ഒരിക്കലും യോഗ്യന്മാരായി വരികയില്ലെന്നുള്ളതു ശാസ്ത്രസമ്മതമാകുന്നു. പരസ്പരസമ്മതവും പ്രണയവുമില്ലാത്ത വിവാഹംതന്നെ നിയമവിരുദ്ധമല്ലെ? മനസ്സില്ലാതെ ചെയ്യുന്നപ്രവൃത്തി എപ്പോഴും തടയേണ്ടതാണ്. പണ്ഡിതരും സാത്വികരും ധർമ്മിഷ്ഠരുമായ ആളുകളുടെ വാസഭൂമിയെന്നു പുരാതനകാലംമുതൽക്കുതന്നെ ലോകംമുഴുവൻ സമ്മതിച്ചിട്ടുള്ള ഈ ധർമ്മരാജ്യത്തു—"ധർമ്മൊസ്മൽകുലദൈവതം" എന്നമുദ്രാവാക്യം അനുദിനം ആദരിച്ചുപോരുന്ന നമ്മുടെ പൊന്നുതമ്പുരാക്കന്മാരാൽ ഭരിക്കപ്പെടുന്ന ഈ ധർമ്മഭൂമിയിൽ ഇപ്രകാരം ഒരധർമ്മം, ഇത്ര കഠോരമായ ഒരു കർമ്മം, ഇത്രനീചമായ ഒരുപ്രവൃത്തി, നടക്കുന്നുണ്ടെന്നു വിചാരിക്കാൻപോലും സങ്കടമായിരിക്കുന്നു. ഇത്ര ദോഷഭൂയിഷ്ഠവും നിന്ദ്യവുമായ ബാല്യവിവാഹംമൂലം തങ്ങളുടെ നിരപരാധികളായ കുട്ടികളെ നിത്യനരകമനുഭവിക്കാൻ ഇടവരുത്തുന്ന രക്ഷകർത്താക്കന്മാർ ഈ ദ്രോഹം എത്രവലുതാണെന്നു അവർ അല്പമെങ്കിലും ആലോചിക്കാത്തതു കഷ്ടം

തന്നെ. ഇതുമൂലം തങ്ങളുടെ കുഞ്ഞുങ്ങളുടെ ഹൃദയം ചുട്ട അവരുടെ ശാപത്തിനു തങ്ങൾ പാത്രമായിതീരുമെന്നുള്ളതും അവർ ഓർമ്മിക്കുന്നില്ല. രക്ഷകർത്താക്കന്മാരുടെ അജ്ഞതകൊണ്ടുമാത്രമാണ് ഇങ്ങനെയുള്ള വിവാഹങ്ങൾ നടത്തുന്നതെന്ന് എനിക്കുവിചാരിക്കുവാൻ നിവൃത്തിയില്ല. ഉന്നതവിദ്യാഭ്യാസം സിദ്ധിച്ചിട്ടുള്ളവർപോലും ഈവിധം പ്രവൎത്തിച്ചുവരുന്നുണ്ട്. ഇതു ഒരിക്കലും ഒരുവിധത്തിലും ക്ഷന്തവ്യവുമല്ല.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*): ചെറുപ്പത്തിൽതന്നെ വിവാഹം നടത്തണമെന്നു മാതാപിതാക്കന്മാരെ നിർബ്ബന്ധിക്കത്തക്കവണ്ണം വല്ലനിയമവും ഇവിടെയുണ്ടോ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): അങ്ങനെ ഒരുനിയമം നടപ്പിലില്ല. ആരെയും കൊല്ലാനൊ അടിക്കാനൊ പാടില്ല എന്നുനിയമമില്ലെങ്കിലും അങ്ങനെ ചെയ്തുകഴിഞ്ഞാൽ അതു ശിക്ഷാർഹമാണെന്നു നിയമമുണ്ട്. അതിനാൽ നടപ്പിലിരിക്കുന്ന ഒരുസംഗതികൊണ്ട് ദോഷമുണ്ടെങ്കിൽ അതുതടയേണ്ടതു പൊതുജനങ്ങളുടെയും ഗവണ്മെൻറിൻെറയും കടമയാകുന്നു.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*): അങ്ങനെയിരിക്കെ അവരവരുടെ കുട്ടികളുടെരക്ഷയെപ്പററി രക്ഷകത്താക്കന്മാൎക്കു തന്നത്താനെ നോക്കേണ്ട കടമയില്ലെ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): കടമയുണ്ട്. ഞാൻ ഇതിനുമുമ്പെ പറഞ്ഞമറുപടി ശ്രദ്ധിച്ചിരുന്നാൽ ഈചോദ്യത്തിനു അവകാശമുണ്ടാവുകയില്ലായിരുന്നു. അതായതു്, ബാല്യവിവാഹത്തെക്കാൾ വലുതായ ഒരു ദ്രോഹം തങ്ങളുടെ കുട്ടികൾക്കു രക്ഷകത്താക്കന്മാർ വേറെചെയ്യാനില്ല.

MR. M. P. MADHAVAN PILLAI (*Tiruvalla*): ദുർബലന്മാരായസന്താനങ്ങൾ ഉണ്ടാകുന്നതു യുവാക്കൻമാർക്കല്ലെന്നും നേരെമറിച്ചു ഓജസ്സും തേജസ്സും നശിച്ച വൃദ്ധൻമാൎക്കാണ് ഉണ്ടാകുന്നതെന്നും മെമ്പൎക്കറിയാമൊ?

MR. R. S. SUBRAHMANYA PILLAI (*Kalkulam cum Vilavankod*): അങ്ങനെയുംവരാം. ബാലപിതാക്കൾക്കു ജനിക്കുന്നസന്താനങ്ങൾ ദുർബലന്മാരായിതന്നെതീരും.

അതിനാൽ രാജ്യത്തിൻെറ ശ്രേയസ്സിനെവിചാരിച്ചും, രാജ്യത്തിൻെറ അഭിമാനസംരക്ഷണത്തെ വിചാരിച്ചും, എൻെറമാന്യസ്നേഹിതന്മാരായ ഉദ്യോഗാനുദ്യോഗസ്ഥമെംബർമാർ ഈ പ്രമേയത്തെ അനുകൂലിക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി മി: രാമവൎമ്മരാജാ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള ഈ പ്രമേയത്തെ ഞാൻ പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Sir, I wish to speak a word in *opposition* to the resolution that is before the House. My reasons for opposing it are not many; and I believe *many* are *not* required. Mr. Raja, in his speech the other day, admitted that the number of child-marriages in this country is rather low. At least I can make that inference from the figures that he quoted. There was only one wrong statement that he made, and that was that this evil was on the increase. But he admitted that he was only making a surmise. I thought that it was not proper to leave it to a mere surmise. I, therefore, consulted the very source from which *he* derived *his* information. I am told by the Census Commissioner, Sir, that, from the statistics that he has collected, there is absolutely no fear that child-marriages are on the increase. On the other hand, he finds, on a comparison with the Census of 1921 that the number of child marriages, in Travancore, is on the *decrease*, and *not* on the increase.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*) : What are his figures, please?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I hope Dr. Kunjan Pillai himself will place before the House the necessary figures. I am now speaking on the assurance given to me by the Census Commissioner. I have not got the figures with me.

MR. RAMA VARMA RAJA (*Edavagai*) : സെൻസസ് കമ്മീഷണരോടു തന്നെ ആ ഫിഗേർസുകൂടി ചോദിച്ചുവാങ്ങിക്കാത്തതെന്തു് ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : It did not strike me that it was necessary; because, the person who is engaged in the work is an expert; I thought I could rely on the conclusions he has arrived at.

MR. RAMA VARMA RAJA (*Edavagai*) : ഞാൻ ചോദിച്ചപ്പോൾ ഫിഗേർസു ഇല്ലെന്നാണൊ കമ്മീഷണർ പറഞ്ഞതെന്നറിയാമൊ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Probably, the Census Commissioner looked into the figures only subsequently, that is, during the interval between Mr. Raja's speech and my present speech.

Now, if in Travancore, the number of child-marriages is on the decrease, I am not able to understand why this House should pass this resolution and urge the Government, or, for that matter, this House, to introduce a Bill on the lines of the Sarda Act, a legislation which interferes with the liberty of the people.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Is it liberty or license?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Perhaps, both.

The liberty of the subject, or license, if that would be more pleasing to my friend, should be sparingly interfered with. So far as this legislation is concerned, it has its own difficulties in Travancore. If we look into the Nayar Regulation, the Vellala Regulation, or the Ezhava Regulation, we find that the age of consent for valid marriages is sixteen in the case of females and eighteen in the case of males. These three Regulations further lay down that marriages between persons of lower ages would be validated with the consent of the

guardian. If that is the recent statutory law, so far as these three important communities are concerned, I think it would be rather too early to come forward with another legislation penalising marriage between a male below eighteen and a girl below fourteen.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*). Can the consent of a guardian make a wrong thing right?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : We are speaking of legal rights now, and not of what, according to the medical officer's opinion, would be proper or good. Now, if two guardians have the privilege to get their children married, in the case of daughters before sixteen, and sons before eighteen, and if this right has been recognised by statute, and if these statutes are so recent as 1100, 1101 and 1102, I cannot understand why, by the mere passing of the Sarda Act in British India, we should, as it were, be awakened to a sense of great moral justice and come forward with a resolution before this House saying that these three Regulations must be nullified and a new Regulation brought into force.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : If it is a social evil, can it not be remedied ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : That which was not a social evil in 1101, 1102 and 1103, I suppose could not have become a social evil so soon.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Why does the member suppose like that ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I find from the Council Proceedings that the question of the age of consent was thoroughly discussed at the time these Regulations were passed and that the House came to the conclusion that it was not necessary, in the interests of the people of this State and in consideration of social evils then extant, to fetter the rights of the people by any legislation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Will the passing of a Regulation on the lines of the Sarda Act make invalid a Nayar marriage that is valid under the Nayar Regulation ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the Law Member mean that the marriage would not be *illegalised*.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I mean *invalidated*.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I suppose, it would be considered, in the eye of law, as invalidated. Marriages that have already come into existence will not be affected. Marriages that will hereafter be conducted, marriages of Nayar or Ezhava girls, below the age of sixteen, with boys below eighteen, though with the consent of the guardians, would be invalidated if an Act on the lines of the Sarda Act is passed in Travancore.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; Does the Sarda Act *invalidate* such marriages, apart from *illegalising* them ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I do not suppose that anybody would be prepared to give in marriage his daughter and pay a penalty of Rs. 1,000; or that any person would marry a girl and pay a fine of Rs. 2,000 and undergo three months' imprisonment. The object of the Act is to prevent such marriages taking place.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In the case of minors, will the marriage be valid under the Sarda Act?

MR. S. KRISHNA PILLAI (*Karunagapalli*): In the case of minors the guardians of both the bride and the bridegroom have to pay the fine or undergo imprisonment. It is the parents of both the parties who have taken part in the celebration of the marriage, that are punished. If the Law Member's question is whether, if all these persons are willing to undergo the punishment laid down in the Sarda Act, the marriage would be valid or invalid, I believe, it is a matter more for a judicial pronouncement than for my inexpert opinion. So far as my opinion is concerned, if an act is penalised, anything that follows as from the consequence of it, must be considered to have been forbidden by the law, and must be considered to have been invalidated. But marriages, I understand, stand on a different footing from all other forms of contracts and other acts. The consequences of a marriage are far-reaching, and they are to control the destinies of persons who had nothing to do with the transaction. Therefore, I am not in a position now to say, without bestowing more attention and careful consideration, whether such marriages would be invalid or not. It is clear that the law wants to prevent such marriages. If, in spite of penalties that are enjoined by the law, a marriage takes place, my own opinion is that it would be treated as invalid.

DEPUTY PRESIDENT: Is there any provision in the Sarda Act itself, which declares a marriage void?

MR. S. KRISHNA PILLAI (*Karunagapalli*): No.

DEPUTY PRESIDENT: In view of that fact how can you say, that it would be void?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The original Bill introduced by Mr. Sarda provided that the marriages should be treated as invalid. But that provision was taken away later on.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May be.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Would it not make Mr. Raja's resolution impracticable? Penalising marriages and yet not making them invalid may not carry us very far.

MR. S. KRISHNA PILLAI (*Karunagappalli*): My point is that a marriage which is legally valid under three Regulations so recently enacted in Travancore, should not be penalised by bringing into our Statute Book an enactment on the lines of the Sarda Act. That is one of my main and important objections.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : I want to know whether, in the eyes of a lawyer that Mr. Krishna Pillai is, because the Nayar and the Ezhava Regulations have b en passed only recently, there should be a sort of legislative paralysis in this House so far as social legislation is concerned.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : In my humble opinion, Sir, as far as possible, the conduct of the House ought to be controlled and guided by what this House itself has done, and not by anything that has been done outside this State or outside this House. And we must bring into being a statute only if we feel there is urgent necessity for it. As the honourable members know, every statute that is brought into being curtails the privilege that is being enjoyed by the people. If that is the tendency of every statute, and if the legal effect of a statute on the lines of the Sarda Act is also to curtail the privileges and rights of the people, why should we bring it into existence without there being an imminent need for it. If this House is statisfied that the social evil which is sought to be controlled by the Sarda Act is so rampant that some legislation is necessary, I would be the last man to stand up to oppose the proposition.

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Is it not advisable to nip the evil in the bud ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Yes, only if there are buds. But, not for one bud should we legislate. If there are many buds and if they are likely to grow and not die of themselves, we should legislate for them.

MR. M. GOVINDAN (*Nominated*): What, according to the member, is the minimum number of such buds necessary to justify legislative action in Travancore for nipping hem ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Considering the very large number of adult marriages that we have, and the very small number of child marriages, as could be seen from the figures given by Mr. Raja himself, I may inform the member that...........

MR. M. GOVINDAN (*Nominated*) : What is that "*small number*", please ?

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I believe the member must have been listening to Mr. Raja while he was talking yesterday on the subject.

MR. M. GOVINDAN (*Nominated*) : According to the member, is the number, quoted by Mr. Raja, small ?

MR. S. KRISHNA PILLAI (*Karunagappalli*) : Mr. Raja himself admitted that the number was small.

MR. M. GOVINDAN (*Nominated*) ; It is 900 for the Christian community alone.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Compared with the very large number of marriages in the Syrian Christian community, this number must be considered to be a very small one. The member must also realise one fact: The figure given does not represent child-marriage alone. The figures, as given by the Census Commissioner, relate to child-marriages that were conducted during the period between the last census and the one prior to that. They are not marriages celebrated in 1105 or 1106, but those conducted between the recent census and the one prior to it. The figure indicates only the number of married people of the age given, living at the time of the census,

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): The figure gives the number of married girls of the ages given on the census day. When we refer to so many girls between the ages of five and ten, we refer to married girls between five and ten, on the day of the census.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The girls might have been married any time during the last ten years before the last census?

MR. S. KRISHNA PILLAI (*Karunagapalli*): If these marriages have taken place only during a period of ten years, the number of child-marriages per annum, in Travancore, is, in my opinion, very small.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Even among the married girls in higher age-groups, most of them might have been married when they were below ten?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I do not say my figure is correct. Even assuming for argument's sake that there is an equally large number of child-marriages in the higher age group also, what does the number of child-marriages on an average come to? It is not much. My opinion is, when the social evil does not appear to be so serious, there is no necessity for such a Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikappalli*): Is child-marriage a social evil? Is that admitted?

MR. S. KRISHNA PILLAI (*Karunagapalli*): It has been stated, by several people, that it is a social evil.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the member's opinion?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Child marriage is no evil, according to me.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Which is the real social evil, is it the consummation of the marriage or the mere celebration of it?

MR. S. KRISHNA PILLAI (*Karunagapalli*): When we speak of marriage, we cannot conceive of it without consummation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But the Sarda Act penalises marriages even if there is no consummation whithin the age-limit.

MR. RAMA VARMA RAJA (*Edavagai*): കല്യാണം കഴിഞ്ഞാൽ കൺസുമ്മേഷൻ തടയാൻ ഏതെങ്കിലും റഗുലേഷനോ വകുപ്പോ ഉണ്ടോ?

. **MR. S. KRISHNA PILLAI** (*Karunagapalli*): In Section 375 of the Travancore Penal Code, the age of consent has been raised from ten to twelve; that provision has been there ever since that Section was amended last. Although various attempts were made to amend Section 375, Exception 5, in British India, those attempts totally failed.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): How does the expression *"a five-year-old wife"* strike the member's imagination.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I never used that expression, nor have I any necessity to use it.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): Is a married woman, a wife?

MR. S. KRISHNA PILLAI (*Karunagapaplli*): She should be called a wife. There is no objection to that. I do not at all approve of the child-marriages of that type, nor do I maintain that child-marriages are good and that they must be encouraged. What I am asking is whether we shoud pass a resolution and ask the Government to come forward with a Bill *on the lines of the Sarda Act*. That is the object with which this resolution has been brought forward here. If that is so, I cannot understand the reason why that is sought to be done *in Travancore*, where, as matters stand, there does not appear to be any necessity for such an enactment. Without sheer *compelling necessity* we ought not to legislate on any matter. No doubt, the resolution brings credit to the member who has brought forward this resolution; because it shows that he is alive to what is going on outside, But, my opinion is that *we* must legislate for conditions *in Travancore*.

MR. K. GEORGE (*Chief Secretary to Government*): Does not Travancore afford a place for the people in British India to escape from the provisions of the Sarda Act? If British Indian people come to Travancore and celebrate the marriages of their girls below ten or twelve, can they not evade the provisions of the Sarda Act?

MR. S. KRISHNA PILLAI (*Karunagapalli*): The Sarda Act applies to the whole of British India and to British Baluchistan. It does not apply to Travancore. In the case of all penal statutes, the jurisdiction is mainly territorial; but there are extradition provisions. If a native of British India comes to Travancore to celebrate child-marriage, my personal opinion is that the provisons of the Sarda Act could be successfuly evaded. That may be one reason for suggesting the enactment of a measure on the lines of the Sarda Act. (I know there have been occasions for amending the Penal Code in one part of India

[Mr. S. Krishna Pillai.]

in order to bring it into conformity with the Penal Code in another part But, what is now suggested is not an amendment of any statute now in existence. It is the creation of a new enactment that is contemplated by the mover of the resolution.) And, further, have we, till now, felt any pressing necessity for remedying the evil due to the people of British India coming down to Travancore to evade the provisions of the Sarda Act? We have not come across any instance in which the British Indian people have complained that Travancore is affroding an asylum to the runaways from the Sarda Act. When such a complaint arises, when we find that we should help the British Indian Legislature in enforcing the Sarda Act, it will then be time for us to take into consideration this Bill; not earlier. All that I want to impress upon this House is that we *should not* legislate, not only in this matter but in every other matter, unless we feel that there is great need and an imminent necessity for bringing into existence such a legislation.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Does the member think that the society has got a right to remove an evil?

MR. S. KRISHNA PILLAI (*Karunagappalli*): They are all general questions and my answers will be the same as those of the member.

MRS. ANNA CHANDI (*Nominated*): Should there not be some remedy for this evil?

MR. S. KRISHNA PILLAI (*Karunagapalli*): With the advance in education and the rapid improvement that we are making in our ideas about society, I believe, even without legislation, conditions will improve. I suppose the member will remember, my reference to the Census Commissioner's statement that such cases are on the *decrease.*

MRS. ANNA CHANDI (*Nominated*): Assuming that cases of child marriages are on the decrease on a consideration of the figures given by the Census Commissioner, what is the member's idea of the approximate time when child-marriages would be completely effaced from Travancore?

MR. S. KRISHNA PILLAI (*Karunagapalli*): If the member had listened to the Law Member's questions and the answers thereto, there would have been no need for her present question. Even the existence of an Act, *like the Sarda Act*, would not *completely* efface child marriages. It may not be possible even then to exterminate child marriages. But, in course of time, it is bound to be wiped out. That is my own impression.

MRS. ANNA CHANDI (*Nominated*): What, according to the member, is the approximate time that would be taken for these child-marriages to be wiped out?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I cannot give any definite term of years, ten, twenty or fifty. The question now is, should we legislate until and unless we are satisfied that there is pressing need for such a legislation.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): So, the member would perpetuate the evil by putting off this legislation ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I do not subscribe to that view. I believe that, even without legislation, child-marriages are bound to disappear in course of time.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): But, the member said that it was bound to linger *in spite of legislation.*

MR. S. KRISHNA PILLAI (*Karunagapalli*): Yes; it is bound to linger in spite of legislation *on the lines of the Sarda Act.*

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Should the evil disappear or should it be allowed to exist? And, will not legislation help it ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Legislation will not exterminate it.

MR. M. GOVINDAN (*Nominated*): Will not legislation accelerate the wiping out of the evil ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): It may, to some extent. What I say is, if we can effect a cure by administering a mixture in small doses, why go in...

MR. M. GOVINDAN (*Nominated*): What is the dose in the present instance please ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): If educated men, like the member, realise that it is a social evil, they will, I believe, impart that knowledge to other people and to the masses; and, in course of time, the evil is bound to disappear. As I was about to say it will not be wise to risk a major surgical operation, if a cure can be effected by administering small doses of medicine.

MR. RAMA VARMA RAJA (*Edavagai*): സർദാ ആക്ടിൽ വേണ്ട വ്യത്യാസം വരുത്തി പാസാക്കുന്നതു കൊണ്ടു വിരോധമുണ്ടോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): മെംബറുടെ പ്രമേയത്തിൽ "സർദാ അക്ട്" എന്നു മാത്രം പറഞ്ഞു കാണുന്നതു കൊണ്ടു ആ ആക്ടിൽ എന്തെല്ലാമാണ് പ്രൊവിഷൻസുള്ളതെന്നു മാത്രമെ ഞാൻ ചിന്തിച്ചിട്ടുള്ളൂ, അതിനെക്കാൾ ഉത്തമമായ ഒരു ലജിസ്ലേഷൻ കൊണ്ടുവരുന്നതിനെപ്പററി ഞാൻ ആലോചിച്ചിട്ടില്ല. ആവശ്യമുള്ളതു കൊണ്ടുവരുന്നതുകൊണ്ടു യാതൊരു തരക്കേടുമില്ല. എന്നാൽ ആവശ്യമില്ലാതെ ഒന്നുകൊണ്ടുവരുന്നതു അനാവശ്യമാണെന്നു മാത്രമെ എനിക്കു പറയുവാനുള്ളൂ.

MR. M. GOVINDAN (*Nominated*): I rise to support the resolution. My friend, Mr. Krishna Pillai, began by saying that he had only a word to say. He took nearly half an hour to say that one word. I have *two words* to say. (*Laughter*)

DEPUTY PRESIDENT: Does that mean that you will require one hour?

MR. M. GOVINDAN (*Nominated*): No, I shall try to be brief.

DEPUTY PRESIDENT: I do not think you can claim one hour. I shall, however, allow you reasonable time.

MR. M. GOVINDAN (*Nominated*): Thank you, Sir. I find from the questions put by the official side that there is going to be some encouragement to the resolution from that quarter.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Is that the reason why the member is supporting the resolution?

MR. M. GOVINDAN (*Nominated*): No; even if the whole House were against it, I would, with my single voice, support it, because I am so enthusiastic about it. (*Laughter*). My friend, Mr. Krishna Pillai, is under the impression that this is not a social evil and that its magnitude in Travancore is not such as to justify legislative action. I believe that is his position, as I understand it. My view is that if it is a social evil and if the magnitude is, as stated by the mover of the resolution, about 2,000 child-wives-and therefore a considerable number of child-widows and child-mothers also—..................

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Are all these 2,000 married women below ten years of age?

MR. M. GOVINDAN (*Nominated*): My figure will come to 5,000 when I take into account married girls below fourteen. I want child-mothers also to come in.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In that case, the figure would be enormous, I think.

MR. M. GOVINDAN (*Nominated*): I will take it as 5,000 below fourteen. I want child-mothers also to come in. Even that is enormous, I say, for this small State of Travancore.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): May I give him the correct figures? The number of married women in the whole State, between five and ten, for all religious denominations together is, 2,484.

MR. A. THANU PILLAI (*Trivandrum*): What is the total number of women in the whole State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): The total number of girls in the State, between the ages of five and ten, is 3,31,750. Of these, the number of married ones is 2,484. The number widowed is 71. The total number of girls between the ages of ten and fifteen is 3,04,211. The number married, among them, is 23,714. The number widowed is 509. These figures are for all religious denominations together.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Are there no figures in regard to girls below fourteen?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): I said that the number of widows between five and ten is 71, and that between ten and fifteen is 509.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): But, that is not about girls below fourteen.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): That is how *we* have taken the figures.

MR. M. GOVINDAN (*Nominated*): Can the member give the number of child-mothers below fourteen?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): We have not collected information on that point.

MR. M. GOVINDAN (*Nominated*): Now, from the figures supplied, I find that additional strength is gained for my argument that the evil is of considerable magnitude. As many as 23,714 girls are married between the ages ten and fifteen, and 2,484 between five and ten. Details are not now available about the number of child-widows and child-mothers.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): I *have* given those figures also, Sir. The number of widows between five and ten is 71, and between ten and fifteen is 509.

MR. M. GOVINDAN (*Nominated*): Yes. To my mind it appears that if Mr. Krishna Pillai had been put in charge of the Department of Administration of Justice, he would abolish the law in regard to punishment for murder on the ground that for about fifty lakhs of people there are only about 25 to 30 murders every year.

MR. S. KRISHNA PILLAI (*Karunagapalli*): So, if my friend were a judge he would not have understood the distinction between social legislation and penal laws?

MR. M. GOVINDAN (*Nominated*): Yes.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) Is over-eating an offence or a social evil?

MR. M. GOVINDAN (*Nominated*): It is a social evil.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Would the member make it penal?

MR. RAMA VARMA RAJA (*Edavagai*): സർദാ ആക്ട് വരുന്നതോടുകൂടി പീനൽകോഡും ഗവണ്മെൻറിൽനിന്നും അമൻറുചെയ്യുന്നതെന്നു നിർബന്ധമുണ്ടോ?

MR. M. GOVINDAN (*Nominated*): സർദാആക്ടും വരാം പീനൽകോഡ് അമൻറുചെയ്യുകയും ചെയ്യാം.

The contingency that we should seriously guard against is that of children who are not developed enough physically to become mothers. Once a child is married there is the right for the husband to get restitution of conjugal rights.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will the promulgation of a law like the Sarda Act abolish child-mothers in Travancore?

MR. M. GOVINDAN (*Nominated*): Yes, to a certain extent.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): When the Penal Code permits connection between a girl of twelve and a man of fifteen, can the Sarda Act prevent it?

MR. M. GOVINDAN (*Nominated*): All that I say is that it will be minimised. Human nature being what it is, by no fiat of legislation can we exterminate any social evil?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): By raising the age of consent, from twelve to fourteen in the Penal Code, can we not exterminate this evil?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I ask whether the member knows that the Age of Consent Committee reported that legislation to raise the age of *marriage* is a better remedy for this evil than to raise the age of *consent*?

MR. M. GOVINDAN (*Nominated*): I am prepared to accept that position. The Sarda Act does not invalidate the marriages which it penalises. But I understand that it was originally intended that the marriages should be rendered void, and that it was only at a later stage that that provision was deleted.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Is the member aware that the provisions of the Sarda Act have been violated in British India in several instances and that no action has been taken against the parties in those cases?

MR. M. GOVINDAN (*Nominated*): That may be due to the general disturbed condition of things there.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know the reason why the provision for rendering the marriages void was taken away by the British Indian legislature?

MR. M. GOVINDAN (*Nominated*): That may be due to the opposition of persons like Mr. Krishna Pillai. In a vast Empire like British India, there may be persons of different views. But we are in a compact State.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The motion before the House relates to the enactment of a law "*on the lines of the Sarda Act*".

MR. S. KRISHNA PILLAI (*Karunagapalli*): What I asked Mr. Govindan was why the invalidating clause was removed.

MR. M. GOVINDAN (*Nominated*): Owing to the opposition of Pandit Madan Mohan Malavya and others, I think.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Was it because it was thought unnecessary?

MR. M. GOVINDAN (*Nominated*): No, not because it was thought unnecessary.

Here, in Travancore, there is no such difficulty. The Government are sympathetic and are willing to undertake social legislation for us. For instance, there are the Ezhava Regulation and the Vellala Regulation. These laws were initiated by Government.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In regard to Travancore, does the member know the number of communities in which widow remarriage is prohibited?

MR. M. GOVINDAN (*Nominated*) I know of one community, one important community in the State, positively. There are also other communities which are now trying to ape the customs of that community.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does not the member know that the answer should always be to the point?

Mr. M. GOVINDAN (*Nominated*) It is absolutely to the point. How many, he asked; there is one, I answered; I also said there are others. (*Langhter.*)

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member afraid to mention the name of that community?

MR. M. GOVINDAN (*Nominated*): It is the Brahmin community. This child-marriage evil is over-prevalent in that community more than in any other community.

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Is the member aware that in the Brahmin community the married couple live as husband and wife only after the girl attains puberty?

MR. M. GOVINDAN (*Nominated*): Yes, I know that. But I also know that soon after the age of puberty, a girl is *not fit* to become a mother. That is my position. In Travancore, conditions are such that we can easily legislate upon this matter. There is an evil of sufficient magnitude calling for legislation; and the external conditions also call for action. In this matter, we have only to remember what has been done in British India and in Mysore. There is legislation in both those countries.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Did I hear Mr. Govindan to say that there is legislation in Mysore in regard to this matter?

MR. M. GOVINDAN (*Nominated*): Yes. I do not know the exact lines of their law. Mr. Sarda refers to that in his speach. There is a Regulation in Baroda also.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In Mysore, is it the old Regulation or any recent Regulation that the member is referring to?

MR. M. GOVINDAN (*Nominated*): It is fairly old.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That prohibits marriages of girls below eight years?

MR. M. GOVINDAN (*Nominated*): Mr. Sarda refers to that. In British India we have got such an enactment. The statement of Mr. Krishna Pillai—I mean his temerity—that we would *not* be affording

[Mr. M. Govindan.]

an asylum to runaways from British India, is not well-founded. The Sarda Act is only a very recent enactment. As Mr. Krishnan Nayar suggested by a question, that Act is not now worked in British India with zest with which, under ordinary conditions, it would have been worked there. When things quiet down there, when normal conditions prevail there, I am sure there may be many cases of people from British India trying to avoid the penalty of the Act by coming here and celebrating the marriages. The question at present is, do the condition of things here justify our passing a law on the lines of the Sarda Act. The very fact that there are many people settled down in Travancore who have got relations elsewhere and who would be coming here and perhaps settling down, if only to avoid this, would justify legislation. It is not necessary to point out the enormity of this evil and the immediate necessity for legislation in the matter. Perhaps the medical gentlemen in this House will point out the enormity of the evil. The fact that, according to the figures for the last ten years, there has been a slight decrease will certainly not justify us in being indifferent to this evil. It may take many years for the evil to die down if we are to keep time and wait for time to rectify this evil. Of course, in the Syrian Christian community, in which the evil appears in some magnitude, there is this fact that they all take to English education; and therefore the evil is gradually diminishing in that community. I know cases where children are sent to school even after marriage. Although there is the tendency, not to give away young girls in marriage, among the higher section of the community, there are the poorer classes of that community trying to ape respectability by giving away girls in marriage at an early age.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it due to notions of respectability or is it out of the supposed necessity of providing girls with eligible husbands?

MR. M. GOVINDAN (*Nominated*): It is due to the old customary notions of respectability. It is not out of mere necessity that minor girls are given away in marriage.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): Has dowry no part in it?

MR. M. GOVINDAN (*Nominated*): We have not yet spoken about that. That is another evil.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) What is the minimum age for marriage in England?

MR. M. GOVINDAN (*Nominated*): The Law Member must be aware of that That is all that I have to state on this point. In the case of the three communities for whom there is special social legislation, Mr. Krishna Pillai says that there has been a sanctioning of such marriages only very recently. All that I have to say in reply is that the attention of the community was not then called to this particular evil. They were thinking more of devolution of property, *tarwad* management and guardianship than of *this* evil. It was by a peculiar misfortune that the minimum age for a valid marriage happened to be fixed so low in those three recent enactments.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Why was the misfortune allowed to affect the Ezhava marriages also?

MR. M. GOVINDAN (*Nominated*): It was decided that no deviation need be made, in this matter from the provisions of the Nayar Regulation. Our attention was fixed on other points and not on the question of child-marriage.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member imply that all the Sections in the Nayar Regulation and in the Ezhava Regulation, in regard to marriage, were not considered by this House.

MR. M. GOVINDAN (*Nominated*): No. What those Sections say is that the marriage of a Nayar female with a Nayar male, if she or he has not completed sixteen and eighteen years respectively, shall be invalid unless (as a sort of exception this is mentioned) it is done with the consent of the guardian. It is not intended for the sake of legalising the marriage of minors, but for providing for the marriages of girls above fourteen and below sixteen. But neither the Nayars nor the Ezhavas considered the question of five to ten-year-old wives. It must be said to the credit of these three communities that this evil is not very prevalent among them.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Then, does the member think that we ought to legislate for a minority community?

MR. M. GOVINDAN (*Nominated*): If my friend will wait for my next sentence he will know my view on that aspect of the question.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I shall wait.

MR. M. GOVINDAN (*Nominated*): Just three days ago, I had to go to my native village for collecting subscriptions. The owner of a house to which I went was conducting a marriage. I found that a thirteen-year-old girl was being given away in marriage to a twenty-five-year old man. I would not have allowed that marriage to take place even at the risk of my not getting a subscription. Infant marriages occur particularly in well-to-do houses.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): Does not the member know that sometimes even twelve-year-old girls are fairly grown up, and that there is no apparent impropriety in giving such grown-up girls in marriage?

MR. M. GOVINDAN (*Nominated*): I think that it is wrong, almost tantamount to an offence, to give away a twelve-year-old girl in marriage. I do not think that the questioner would have done so in *his* case. (*Laughter.*) I am positively of opinion that this grave evil should be remedied. And, under the conditions now obtaining in British India, at least as an act of neighbourly etiquette, we are bound to enact a piece of legislation on the same lines as that now obtaining in British India.

MRS. ANNA CHANDI (*Nominated*): Sir, I rise to support the resolution moved by Mr. Rama Varma Raja. In my humble opinion, this is a resolution which deserves the sincere support of every enlightened Government and every patriotic citizen.

[Mrs. Anna Chandi.]

To take up the resolution itself, we have to look at it from two different aspects. The first is whether there is necessity for introducing such law in Travancore. In this connection, the first thing to be considered is whether the number of child-marriages here is so considerable as to be met by legislation. The figures mentioned by the Census Commissioner ,would show that there is only a small number if regarded in the way in which Mr. Krishna Pillai wants us to do. As Dr. Madhavan Pillai put it......................

MR. S. KRISNHA PILLAI (*Karunagapalli*): Where did he put? We did not hear him speak.

MRS. ANNA CHANDI (*Nominated*): In a question put to the member, he suggested to the member how the expression "five year old wife" would strike his imagination. That would really sound harsh to anyone with any feeling about him.

Then, the other question to be considered is, is there any necessity for any remedy being applied? With regard to that question, there cannot be any difference of opinion. Everybody would agree that this is a social evil which is injurious both to the private individual and to the public welfare. We can just shut our ears to the cries of these individual child-widows and child-mothers the dying children and the unhealthy infants. But, we cannot shut our eyes to the nation that is going down in physique day by day. With regard to this evil that is rampant in our country, I have to make one remark, *viz.*, that this is not an evil which affects the existing generation only. It extends its disastrous effects to the future generation as well. We cannot and should not judge the evil by the number given by the Census Commissioner. Its effect on future generation has to be considered. The number of unhealthy citizens and unhealthy children are ever increasing. If that position is granted, then we have to see what the remedy for this state of affairs is. In the case of a social legislation like this, which tampers with the religious feelings and sentiments of certain sections of the people, it is the usual suggestion that it should be left to be slowly worked out by the educational and social reformers. That is the argument which is very often advanced. But, in this case, we have to see—we Travancoreans, who boast ourselves as an educated people—whether the education for the past so many years has enabled us to root out the evil from the country. I must say that it has not enabled us to do so. Nor has it enabled the ritish Indian people to root out the evil there. It is the attempt of Bthe educational reformer and the social reformer in British India that has ended in this piece of legislation. That is the very reason why *we* should adopt it as well. It is not the tendency to copy. If there is any good anywhere, we should not shirk copying it. We cannot always have originality in every matter. They have the Act in British India; and we can adopt it with modifications suitable to our country. Left to myself, I am of opinion that the age should be increased to sixteen or eighteen. But, those are considerations which we need not take up now. We may consider them when the Bill is before the

House. Now, only the principle of the resolution is before us. Mr. Raja has, I think, brought forwarded the resolution as a test to know the way in which the House and the Government view this question, so that, at the proper time, a Bill may be introduced.

This practice of child-marriage may be styled as a sort of slave trade in our country. It gives a handle to persons like Miss Mayo......

MR. S. KRISHNA PILLAI (*Karunagapalli*): What does she say about Travancore?

MRS. ANNA CHANDI (*Nominated*): We know what Miss Mayo has said about India in her book called "Mother India". The conditions obtaining in British India in this matter exist in Travancore also. So, we can guess more or less what she would have stated if she had visited Travancore.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I know from the member whether it is not common here for parents getting their young daughters married to suitable young boys and then educating their sons-in-law?

MRS. ANNA CHANDI (*Nominated*): I am not aware of any such practice.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I take it that, according to the member, there is no practice of marrying daughters below the age of sixteen and then educating the sons-in-law *i. e.*, the husbands of the daughters?

MRS. ANNA CHANDI (*Nominated*): If there is any such practice that is the very reason why a legislation, like the one suggested by this resolution, has to be introduced in Travancore.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Has the Women's Association expressed any view on the matter?

MRS. ANNA CHANDI (*Nominated*) The Women's Educational Conference have expressed their opinion on this matter, and have stated that it is highly necessary that child-marriage should be rooted out altogether.

I think, Sir, this is a resolution which does not need much of advocacy on the part of anyone, particularly in Travancore which is such an enlightened country with an enlightened Government. With these words, I heartily support the resolution.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): May I know from the member whether there would be any opposition to the measure from the women of Travancore?

MRS. ANNA CHANDI (*Nominated*): Sir, I feel nervous to give a definite answer to that question; because, then the question might be raised that I am only a nominated member here and as such I have no right to represent the women of Travancore. If my opinion on the matter would be accepted by the House, speaking from the women's standpoint, I can say that there would be absolutely no objection, to the enactment recommended by this resolution, from the

[Mrs. Anna Chandi.]

women of the country. I can assure the member that no woman will come forward to oppose it knowing as she does the infant mortality in the State and the acute misery of child-mothers and child-widows.

MR. A. THANU PILLAI (*Trivandrum*): Is there any difference between man and woman so far as the opposition to or support of this measure is concerned?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Can marriage take place without the consent of the girl's mother who is a woman?

The Council adjourned for lunch at 2-3 P. M. and met again at 2-48 P. M.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, the Government do not oppose this resolution nor do they accept it. They are keeping an open mind and will be guided by the speeches and the voting on the resolution.

MR. A. THANU PILLAI (*Trivandrum*): How do the Government members propose to vote on this resolution?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They will vote according to their personal convictions; they have been given that freedom so far as this resolution is concerned.

DEPUTY PRESIDENT: Do you suggest that Government are prepared to introduce the Bill recommended by the resolution?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We do not give any such undertaking; only, at this stage, we do not *oppose* the resolution. And the official members have been allowed to vote according to their personal conviction.

Sir, having stated what the attitude of the Government on the matter is, I think it is my duty to place before the House certain facts bearing on the merits of the resolution just to enable the House to consider them also in arriving at a conclusion in regard to this question. Let not any member think that I am either supporting the resolution or opposing it. I am merely placing certain facts for the consideration of the House.

The Sarda Act was introduced in British India for two reasons; one, to put a stop to child widowhood and the other to remove the impediments against physical and mental growth among children of both sexes. So far as Travancore is concerned, I do not think that the evil of child widowhood is so serious; and I have not heard any member supporting the resolution on that ground. The only ground on which it has been supported here is the apprehension that early marriage is likely to affect the health of the future citizens of Travancore. That is the main point of the resolution.

The resolution says, Sir, that the legislation to be introduced here should be *on the lines of the Sarda Act.* That Act, so far as I can see does not *invalidate* child marriages. Child marriage has been defined

in the Act as marriage between a girl below fourteen and a boy below eighteen years of age. The Bill, as it was introduced by Mr. Harbilas Sarda, had a provision *invalidating* child marriage; but that provision was taken away by the Assembly, and it does not find a place in the Act now.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): Does the Act expressly say so?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, it does not. My point is that the Act does not expressly say that child-marriage is *invalid*, while the Bill as it was introduced by Mr. Sarda had a provision making child-marriages invalid.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): If the marriage had been made invalid, would it not affect the rights of the children?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is the aspect which I was about to refer to.

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know whether invalid or illegal marriages would make the children illegitimate?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If, under the enactment proposed, the marriages are rendered illegal, would not the issues born of such marriages be illegitimate?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The marriages may be *illegal* in the sense that some penalty has been provided; but I do not think the *validity* of the marriages would necessarily be affected.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the legitimacy of the children, or their capacity to inherit, one of the tests of ascertaining whether a marriage is illegal or legal?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) Sir, the question of the validity or otherwise of the marriage under the provisions of the Sarda Act is one on which we have to await definite judicial pronouncement. The Sarda Act merely *penalises* marriages; it does not *invalidate* them. My own idea is that it would be correct opinion to hold that the marriage itself is not invalid merely because a penalty has been imposed. That is my own *personal* opinion, and I do not want that to be accepted by the House as a considered opinion. My present point is simply whether the House is prepared to accept that position, *viz.*, of child-marriages being treated as valid marriages, the children being given all rights of inheritance, and a mere penalty alone being imposed. Would that in any way tend to improve the health of the future citizens of Travancore. That is one point which the House may consider in regard to this resolution.

MR. M. GOVINDAN (*Nominated*): Does the wording of the resolution indicate necessarily that the legislation recommended by it should be an exact reproduction of the Sarda Act.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I believe so. The resolution says :—

> "This Council recommends to the Government that early steps be taken to bring the provisions of the Child Marriage Restriction Act, known as the Sarda Act recently passed by British Indian Legislature into operation in this State".

The wording is not *"on the lines of the Sarda Act"* as I thought it was; it definitely says that the provisions of the British Indian Act must be brought into operation here. So, I think I am quite right in pointing out what I did as the implications of the provisions of the Sarda Act.

The next point that I would place before the House is whether the provisions of the Sarda Act are really necessary in Travancore even on considerations of the physical well-being of the children here, or whether it would not be enough merely to raise the age of consent. As the law now stands, even in Travancore, the union between the husband and wife, the wife being less than twelve years of age, is prohibited by the Penal Code. Therefore, if Mr. Raja's object is to save the children of the State from physical and mental degeneration, it would perhaps be better to raise the age of consent than to raise the age of marriage. But, as Mr. Kunjukrishna Pillai interjected on one occasion, there is the view that prosecutions under the Penal Code for connections between husband and wife below the allowed age are very difficult.

MR. M. GOVINDAN (*Nominated*) : Who is to undertake the prosecution of the offender if after the age of consent is raised, the provision is violated ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If a person breaks the provision of the Penal Code in regard to the age of consent, he is liable for rape under the Penal Code ; and that is a very serious offence. The Government will prosecute the offender.

MR. M. GOVINDAN (*Nominated*) : But who will inform the Government of the commission of the offence ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : We are not concerned with that now ; perhaps the Police may do it.

MR. M. GOVINDAN (*Nominated*) : The provision will have practically no effect if it is merely an increase in the age of consent.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That aspect of the question has already been hinted by Mr. Kunjukrishna Pillai. He has indicated how the provision in the Penal Code, in regard to the age of consent, has proved ineffective.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Suppose a girl above fourteen marries a boy below eighteen. What does the Sarda Act say about such a marriage ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It *is* a child marriage under the Sarda Act.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Does the girl suffer any penalty under the Act ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Section says:

> "........whoever, being a male above 21 years of age, contracts a marriage (a) with a girl less than 8 shall be punishable with simple imprisonment which may extend to one month, (b) with a girl aged between 8 and 14 shall be punishable with fine which may extend to two hundred rupees."

MR. S. KRISHNA PILLAI (*Karunagapalli*); May I request my friend to read Section 5 of the Act?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Sarda Act does not seem to penalise the boy or the girl; I think, it is the parents of the contracting parties that are sought to be punished, along with others who help the celebration of the marriage. The marriage will be perfectly valid and the union between the boy and the girl is not made invalid at all.

MR. M. GOVINDAN (*Nominated*): Is it not a matter on which it would be better for us to await judicial pronouncement?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, it is. In all these matters of interpretation of enactments, the court is the final authority. I am now merely giving my own tentative opinion for the consideration of the House. I thought that the House would do well to bear in mind the fact that while the Bill, as it was introduced by Mr. Sarda, sought to invalidate the marriage, the Act does not do it. It is for the House to consider whether they would recognise the marriage, permit the union between the young husband and the girl and at the same time impose a penalty alone on the celebration of the marriage.

Another aspect of the question that I wish the House would consider is whether it would not be necessary to provide for some exceptions in which it would be desirable to permit child-marriages. It may be that the parents are very old and like to provide for their young daughter before they die. Naturally, they would be anxious to get their daughter married before they die. Again, an exceptionally good offer of marriage with an eligible bridegroom may offer itself. In such cases, it may be desirable to allow child marriage as exceptions. The Sarda Act does not provide for any such exceptions; but such exceptions have been provided for in similar enactments elsewhere. For instance, in Indore the enactment provides for exceptions.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Was not the Indore Enactment passed long before the Sarda Act?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

In some cases it may happen that the bride-groom's parents are very particular of celebrating the marriage of the boy in a particular year and that the boy himself is above eighteen. It may be that, if the girl is not married to that boy, she would lose all further chances of marrying a suitable husband. Such exceptions have been provided for in enactments in Mandi and also in Baroda. But the Sarda Act does not provide for any exception whatsoever. This is also a matter which the House may consider.

[Mr. Kayalam Paramesvaran Pillai.]

I may also mention that, in regard to the Sarda Act, perhaps, the last word on it has not yet been heard in British India. Already there are four Bills before the Indian Legislature, one to repeal it entirely, another to repeal it as regards the Mahomedans, a third to repeal it as regards the Hindus and some other communities and a fourth to introduce certain exceptions in it. The last Bill provides that under exceptional circumstances the parents may apply to the Magistrate for a license to celebrate the marriage of girls below fourteen or boys below eighteen. With the permission of the Magistrate, child-marriages may take place under exceptional circumstances. It is a Mahomedan gentleman that has introduced a Bill to exempt Mahomedans from the operation of the Sarda Act. Mr. M. K. Achharya has introduced a Bill to exempt Brahmins, the Sowrashtras and some other communities, from the operation of the Act. All these Bills are now before the Indian Legislature. Therefore, I think we have not heard the last word in regard to this enactment even in British India. I do not mean to suggest that these Bills would necessarily be passed.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is there not an implication in the member's reference to these Bills that there is a likelihood of the Sarda Act being repealed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not mean any implication. I only say there is yet some thing to be heard on the matter. It has even been suggested whether the Act itself is not invalid and whether it is not opposed to certain provisions in some old Acts and whether the Indian Legislature is competent to enact it. Recently, in a case in Calcutta, that question has been raised, but the judgment does not appear to refer to this point. The case has been disposed of on other points.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Anyhow, *our* legislature is competent to do it, I suppose?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is absolutely no doubt about that. When His Highness the Maha Raja puts His Sign Manual there is the law and none can question it. In Mysore, a Bill has been given notice of by Sir Puttanna Chetty. That Bill is on the lines of the Sarda Act, but with certain exceptions engrafted on the lines I indicated a little while ago. That Bill has been published by the Mysore Government for public criticism.

MR. A. THANU PILLAI (*Trivandrum*): What is the age fixed there?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Exactly as in the Sarda Act.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What are the grounds on which the exemptions may be granted by the Magistrate or by the Court?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Bill does not specifically indicate that. I may also remind the House that while the age of consent is only twelve according

to the Travancore Penal Code, it is thirteen at present in British India. A Bill was introduced in the British Indian Legislature to raise the age of consent to fourteen ; but it has not been passed.

Another point that has been raised in the course of the debate is that, to evade the Sarda Act, people from British India come to Travancore and have the marriages celebrated, and that to prevent such evasion of the British Indian enactment it is necessary for us also to have a similar enactment passed here. In regard to this question it may be asked whether we had not better leave it to the Government of India to introduce the necessary legislation. The Indian Legislature has got the power to legislate for Indians wherever they may go. If the only or the main purpose of the enactment here is to get hold of British Indian subjects who try to evade the Sarda Act, it is doubtful whether this House need pass any legislation on the matter.

Another point that the House has to consider is whether child-marriage is a *growing* evil in this country. Probably, it is a growing evil or perhaps not. But that has to be considered. I do not think anybody in this House will maintain that actual union between a girl below fourteen and a boy below eighteen is quite desirable. Nobody wants child-mothers. I do not think anybody in this House will look with equanimity on a child of fourteen bringing forth children. There can be no question about that. The question for the House to consider is whether it is really a *growing* evil.

MR. M. GOVINDAN (*Nominated*): If it is not a growing evil?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Then the House must consider whether it is such a serious evil as to need a preventive legislation.

There is also another aspect of the question *viz.*, the difficulty in determining the age of the children who are married. That matter is likely to give rise to unnecessary dispute and litigation. The House has to consider whether in the light of such difficulties and in the light of the fact that after all there are not many cases of child-marriages in Travancore, it is expedient and necessary to enact such a piece of legislation. No doubt if the House considers that it is its duty to exterminate even the single case of child-marriage, in spite of all difficulties that may arise in the way, the House must accept the resolution. Government are, as I have stated at the outset, neutral in the matter, and have allowed the official members to vote according to their personal convictions.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) ; Sir, I wish to add a few words in support of the motion before the House. The resolution as it is worded is very moderate in its demand. It errs on the side of moderation. The Sarda Act had to stand against strong orthodox opposition in the Assembly, and I believe it was due to the opposition of Pandit Madan Mohan Malavya and that group of influential and great men that the clause, in Mr. Sarda's Bill, making child-marriage invalid, was taken away. The only principle underlying Mr. Raja's resolution is that a legislation must be enacted here to prevent co-habitation

[Mr. K. Kunjukrishna Pillai.]

among immature girls and boys in Travancore. I do not think anybody here, even among those who opposed the resolution, would deny the fact that immature co-habitation and immature child-birth are great evils. I do not think anybody contests that point. It is commonly agreed that medically child-marriage is an evil. That proposition has been conceded by everyone in the House. Now, the question, the very serious question raised by Mr. S. Krishna Pillai, one of the most serious questions raised in the Legislative Assembly also, is whether it is expedient or advisable to introduce a legislation to prevent an evil the existence of which has not been proved. Sir, that question has been gone into by the Age of Consent Committee. And they have decided that, though ordinarily it would not be advisable to legislate except for proved evils there *have been* exceptions, and there *will be* exceptions as long as society lasts, where it has been necessary to legislate in *advance of* public opinion. I need give just one instance to prove that point. There is that enactment making *sati* illegal. That was enacted ahead of public opinion. I may also say that in the case of *sati* it was admitted by everyone that it was *not* a *growing* evil. It was admitted by all that even without legislation *sati* was becoming rarer and rarer every day. Still it was considered necessary that there should be a legislation preventing it. That legislation was introduced not because there were many cases of *sati* at the time.....................

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I remind the member that, even without the special enactment against *sati*, the offence came within the purview of the Indian Penal Code itself.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I know it can be interpreted like that. But the fact remains that legislation was considered necessary to prevent *sati* whether it came under the Indian Penal Code or not. That is not really the point at issue. The question is whether legislation was found necessary in the case of a social evil like *sati* which was admittedly not a *growing* evil. In the case of *sati*, the agony of death of the victim roused the imagination of the people and they thought it was absolutely necessary to prevent it by special legislation. In the case of *sati* it can be argued that it affects only the individual concerned. But in the case of child-marriage, it affects the whole race; it affects the whole country. That is why I say that it should engage the attention of the State even more than *sati*. Child-marriage affects the society as a whole. It affects the parties to the mariage and even the progeny who are not at all responsible for the act. (*Hear, hear.*) It affects the future generation as a whole. It is only a superficial observer who may think that *sati* is a more grievous offence than child-marriage. But, looking at it closely we find that *sati* is a much lesser evil than child-marriage, considering the social aspect of the question. *Sati*, from the spectacular point of view, may be more gruesome. But the evil effects of child-marriage are more dangerous and more persistent. People have become accustomed

so much to child-marriage that they are not able to realise its serious consequences. They are ignorant of the evil effects of child-marriage. The question has often been asked-and is sure to be raised-whether society had not been existing even without any legislation against child-marriage. Sir, that is a question which is being raised whenever any departure from the existing custom is attempted. The only answer that I can give to that question is that we *did* exist before, but that we want now to exist even *better* than we existed before. Sir, the world has been in existence even without any of the laws now in force. Therefore that argument need not be considered seriously. It has not got much weight behind it.

The Law Member referred to the incidental difficulty in determining the age of the boy or of the girl. I admit that there *is* a certain amount of difficulty in the matter. But, as I hinted in the form of a question, that difficulty would be much greater if we raise the age of consent and depend upon that for society being reformed. Consummation is a private affair. It is a bed-room offence and it will be very very difficult, practically impossible, to find out whether anybody has committed that offence. But marriage is a ceremony celebrated in public, and it will be attended by a large number of people; and ordinarily it is not very difficult to find out the age of the girl or of the boy. It is no doubt likely that some cases *are* left out and some clever rogues really evade the provisions of the law. But that is no reason why, on that ground, we should not have any legislation on the matter. As a matter of fact, it is well known that every provision of law is being circumvented by ingenious and clever rogues. That cannot be an argument that there is no necessity for legislation. It would make it easier for us to determine the age if, in addition to the provisions contained in the Sarda Act, we also make it compulsory that marriages should be registered. That provision obtains in Baroda, I think. Under that provision, the parents are asked to declare the age of the girl and of the boy, and they are liable to punishment, in case they make false statements. I do not deny that it is just possible to escape that provision also. But it will not be so easy. I am sure that it will minimise the number of cases of child-marriages. I do not think Mr. Raja, the mover of the resolution, hoped that by legislation child-marriage could be absolutely exterminated from Travancore; nor anybody, for that matter, ever thought so. No provision of law has been successful completely in exterminating the evil which it provides against. I would therefore request the House not to look at the question from that point of view, not to criticise it from the technical point of view. It cannot be denied by anybody that it will be a check on the people if there is legislation.

And then, in regard to the argument that it is more a matter for propaganda, for education, and all the rest of it, I may say that any amount of propaganda or education cannot solve this problem in *our* country where the people are bound down by custom, where they are so much averse to change, where they are so very conservative. Sir, this

[Mr. K. Kunjukrishna Pillai.]

is not a question which can be left to the whims and fancies of individuals. It is a question which affects society as a whole, affects it vitally, and affects the health of the citizens and the entire future of the race. Every benevolent State ought to step in and interfere and guide the people in an important matter like this.

There was another suggestion from the Law Member whether exceptions should not be provided for, under certain circumstances; and he quoted the example of Indore. In Indore, the law on this subject was enacted about a decade before the Sarda Act came into force; and the law there, affords loop-holes for people to escape from the law under the guise of exceptional circumstances. It may be necessary, Sir, in particular exceptional cases it may even be more advantageous for the girl and the boy also, to have the marriage celebrated even when they are young. The parents might be getting very old and might, naturally, like to provide well for their daughter. But, I oppose the suggestion that, for the sake of such rare cases, specific provision should be made in the enactment contemplated; because, I am sure, if we have a provision like that, it will be very cunningly utilised by the people to evade the law and to nullify it; and every marriage will then be brought under the exception. There is no doubt about that. Even without any such provision, the law in British India is now being circumvented. I am therefore against the suggestion that any exception should be allowed. In rare cases it may be necessary or advantageous; but, considering the balance of advantage and disadvantage, I think it is better we do not provide for any exception. We should not give any loop-hole in a matter like this which affects the society as a whole so deleteriously.

Another question which has been raised is whether, in Travancore, there is any necessity for this piece of legislation. That is certainly a very important question; because, here, most of the communities do not follow the custom of child-marriage. But it must be admitted, Sir, that there *are* communities, in Travancore also, among whom this custom persists as much as it does in British India.

There are communities here which like to, or rather which take pride in aping the so-called higher castes in this matter. I know people who take pride in the fact that they have married girls who have not attained maturity. There are parents who take pride in the fact that they have been able to marry their daughters to desirable boys early enough. I know myself of several of such instances in the Nayar community itself. I am aware of at least one instance in which, on account of pre-puberty marriage, immature cohabitation and premature child-birth the girl died. Even during the last few months I myself have attended at least three marriages in which the girls were less than thirteen. I am speaking of the Nayar community where, it is supposed, child-marriage is not common. These marriages took place, not in towns, but in the interior, among people who are not very much educated. In these cases, I know, it was not for educating the sons-in law. It was for the mere pride of having procured a good match, or

rather a good catch, fairly early, for the daughters in the family. These ignorant people suppose that they would miss the boy if they allow him to grow up and thus give him the opportunity to get a wide field of choice of his bride.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I know from my friend whether, in the cases which he says he knows personally, it was intended that the marriages must be consummated immediately after the marriage celebration?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Certainly; I know of two or three instances in which the boy and the girl are living as man and wife; and, in one instance a child has born to the girl though she is only just fourteen. I admit that such instances are rare, and that the evil is not a *growing* evil. Even then, if it is conceded that there *are* at least a few cases in which a child has succumbed to the evil effects of immature cohabitation and immature motherhood, I think that is sufficient case made out for a legislation against such vice. So far about the communities here among whom child marriage is *not* the custom. Admittedly, there *are*, in Travancore, also communities which *have* child-marriage as the invariable custom. It is therefore doubly necessary that we have the proposed enactment here.

Another argument that was raised by the learned Law Member was that the Sarda Act itself had not reached its final shape, that we have not had yet the last word about it, that it had not yet solidified as it were and that it had not yet secured its permanent place in the British Indian Statute Book. Sir, the fact, that Bills are sought to be introduced in the Indian Legislatures to repeal or to amend the Sarda Act, is not a matter which we need seriously take note of. Because, all these Bills are due to a set of obstructionists who have been raising all manner of obstruction to the Sarda Act ever since it was introduced in the Assembly. Further, every enactment is liable to be amended or repealed. On that score, it cannot be argued that there is no finality in regard to any enactment. We have to consider the question only on its intrinsic merits. There is absolutely no chance of any such law being enacted if we are to get frightened by the opposition from the strongholds of orthodoxy. Sir, one can get an idea of the length to which these orthodox people are prepared to go in this matter if only he will go through the history of the Sarda Act. We come across a variety of arguments, very interesting in themselves, advanced by these orthodox obstructionists. I have read an argument, advanced by one of these orthodox people, that this Act was likely to throw all the prostitutes out of employment and that therefore it should be opposed. Sir, that gentleman was so much concerned with the welfare of prostitutes. This argument has been seriously put forward: and the Age of Consent committee has recorded it.

[Mr. K. I. Kocheeppan Mapillai was found seated in Mr. Karunakaran's seat.]

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): On a point of order, Sir. Mr. Karunakaran is absent, and we find somebody personating him. (*Laughter.*)

[Mr. K. I. Kocheeppan Mappillai resumed *his* seat.]

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, a variety of objections have been raised by these orthodox people. Religious and pseudo-religious objections were raised by some Hindus and by some Mahomedans. But, in the end they were beaten on their own ground. *Pandits* were beaten by *pandits* themselves. Texts were quoted, and counter-texts were also quoted. The Mahomedan *Maulvis* and *Izmas* were beaten by other *Maulvis* and *Izmas*.

In regard to the Mahomedans, I may point out that, in Egypt and in Turkey, legislation, preventing child-marriage, was enacted prior to the Sarda Act. We have such legislation in every civilised country in the world. In Russia the age of consent is sixteen.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Not the age of *marriage*, I suppose?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): No, not the age of marriage.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has marriage been penalised in any one of these countries?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Yes, it *has* been penalised in Egypt and in Turkey.

MR. M. GOVINDAN (*Nominated*): In China also, I think.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) I do not know that.

MR. P. VISVANATHA AIYAR (*Ag. Secretary to Government*): What is the age of marriage in England?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): It is twelve there. Sir the Englishman can look after himself even without any legislation The practical-minded Englishman is not like the Indian who make everything a fetish of religion. The Englishman can manage his own affairs without any help from outside. There is absolutely no use comparing the Indian with him.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What is the age of marriage in Baroda?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Thirteen, if I remember right.

Sir, the Law Member argued that, if the contemplated legislation here was intended to prevent people from British India coming into Travancore, celebrating the marriages and thus evading the Sarda Act, there was no need for us to legislate, since, the British Indian Legislature had itself the power to legislate preventing such evasion of the Sarda Act. Sir, after all it is a foreign Government that they have in British India, and they may not care to go to that extreme when religious objections are raised. Why should a foreign Government court unnecessary controversy and opposition? That is no reason why *we* should not legislate in the matter, particularly when we find that there *is* the evil existing here also.

[Mr. A. Narayana Pillai.]

അനുകൂലിക്കാമൊ എന്നു തന്നെ സംശയംവന്നിരിക്കുന്നു. ഈകൌൺസിലിൽ സാധാരണകണ്ടുവരാറുള്ള സാങ്കേതികതടസ്സങ്ങളെ അടിസ്ഥാനപ്പെടുത്തി മിസ്റ്റർ ഇ. വി. കൃഷ്ണപിള്ള ഇപ്പോൾ പ്രസ്താവിച്ചതുപോലെ ഞാൻ എന്റെസ്ഥാനത്തുതന്നെയാണൊ സ്ഥിതിചെയ്യുന്നതെന്നു എനിക്കുവലിയ സംശയമുണ്ട്. ഇവിടെ ഓരൊ സ്ഥാനങ്ങളുണ്ടെങ്കിലും അവയിൽ കാണുന്നപേർവേറെയാണ് കാണുന്നതു്. അങ്ങിനെയുള്ള സാങ്കേതികതടസ്സങ്ങൾ വരുകയില്ലെന്നുള്ള വിചാരത്തോടുകൂടി ഈ പ്രമേയത്തെ അനുകൂലിച്ചുകൊള്ളുന്നു. ഈപ്രമേയം നിമിത്തം രാജ്യത്തിനുണ്ടാകാവുന്ന ഗുണഗണങ്ങളെപ്പററി പ്രതിപാദിച്ചുകഴിഞ്ഞു. ശൈശവവിവാഹത്തെ തടയുന്ന ഒരുനിയമം ഈനാട്ടിൽ ഇല്ലാത്തതിനാൽ അപ്രകാരം ഒരുനിയമം ഇവിടെ അത്യാവശ്യമാണ്. മെജാറിട്ടിക്കുമുമ്പു വിവാഹം ചെയ്തുകൊള്ളണമെന്നുള്ള നിർബന്ധം ഇവിടത്തെ ചില സമുദായക്കാരുടെയിടയിലുണ്ട്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ഏതുസമുദായക്കാരാണ് അങ്ങിനെചെയ്തുവരുന്നതു്?

MR. A. NARAYANA PILLAI (*Vaikam*): തമിഴ്ബ്രാഹ്മണരുടെയിടയിലും മററുതമിഴരുടെയിടയിലും ശൈശവവിവാഹം നടക്കുന്നുണ്ട്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അബ്രാഹ്മണരുടെയിടയിൽ ഈവിധത്തിൽ നടക്കുന്നുണ്ടൊ?

MR. A. NARAYANA PILLAI (*Vaikam*): സാരസ്വത ബ്രാഹ്മണർ, കുഡുംബികൾ എന്നീ സമുദായക്കാരുടെയിടയിൽ ശൈശവവിവാഹം നടക്കുന്നുണ്ട്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): നമ്പൂതിരിമാരുടെയിടയിലുണ്ടൊ?

MR. A. NARAYANA PILLAI (*Vaikam*). ഇല്ല.

ഈ ശൈശവവിവാഹം ശ്രുതിയെയൊ സ്മൃതിയെയൊ അടിസ്ഥാനപ്പെടുത്തിയല്ലെന്നു മിസ്റ്റർ രാജാ പ്രസ്താവിച്ചുകഴിഞ്ഞു. വെറുംതെററിധാരണയോടുകൂടിയും വെറും ആചാരത്തെ അടിസ്ഥാനപ്പെടുത്തിയും നടന്നുവരുന്ന ഈ ദുരാചാരത്തെ കഴിയുന്നതുംവേഗം നീക്കേണ്ടതാണ്. ഇതൊരു ദുരാചാരമാണെന്നു ആ സമുദായത്തിൽ വിദ്യാഭ്യാസംകൊണ്ട് മുന്നണിയിൽനിന്നു പ്രവർത്തിക്കുന്നവർക്കു ബോദ്ധ്യപ്പെട്ടിട്ടുണ്ടെങ്കിലും പഴയ ആചാരത്തെ ഭേദപ്പെടുത്തുന്നതിനു ഇതുവരെ സാധിച്ചിട്ടില്ല. വി

ദ്ധ്യാഭ്യാസംകൊണ്ടു മുന്നണിയിൽ വന്നിട്ടുള്ള ജനങ്ങളുടെ സാഹസപ്രവൃത്തികൊണ്ടാണു ബ്രിട്ടീഷിൻഡ്യയിലും മററു നാട്ടുരാജ്യങ്ങളിലും ഈ നിയമം പാസാക്കുന്നതിനു സാധിച്ചിട്ടുള്ളതു്. വിദ്യാഭ്യാസത്തിൽ മുന്നോട്ടുവന്നിട്ടുള്ള ഒരു സമുദായമല്ല തമിഴ് ബ്രാഹ്മണസമുദായമെന്നു തിരുവിതാംകൂറിലുള്ള അനുഭവംകൊണ്ടു കാണാവുന്നതാണ്. ആ സമുദായത്തിലുള്ള സ്ത്രീകളെസംബന്ധിച്ചാണു ഞാൻ പ്രസ്താവിച്ചിട്ടുള്ളതു്. ആ സമുദായത്തിൽ പള്ളിക്കൂടത്തിൽ പഠിക്കുന്ന സ്ത്രീകൾ പ്രായപൂർത്തിയാകുന്നതുവരെ വിവാഹം കഴിക്കാതിരിക്കുന്നുണ്ടു്.

MR. K GOPALAKRISHNA PILLAI (*Parur*): ആ സമുദായത്തിലുള്ള സ്ത്രീകളെ പള്ളിക്കൂടത്തിലയക്കുന്നതുതന്നെ ഒരു തടസ്സമാണെന്നറിയാമൊ?

MR. A. NARAYANA PILLAI (*Vaikam*); ചിലർക്ക് ആ വിഷയത്തിൽ തടസ്സമുള്ളതായും കാണുന്നുണ്ടു്. ഒരു നിശ്ചിതപ്രായംകഴിഞ്ഞാൽ പിന്നീടു പള്ളിക്കൂടത്തിലയക്കുന്നതു് ഒരു ഭ്രഷ്ടാണെന്നു് അവർ സങ്കല്പിക്കുന്നുണ്ടു്. ഈ വിധത്തിൽ സങ്കടപ്പെടുന്നവർക്കു ഇങ്ങിനെ ഒരു നിയമംകിട്ടിയാൽ വളരെ ആശ്വാസമായിരിക്കും. സെൻസസ് കമ്മിഷണരുടെ കണക്കനുസരിച്ചു പത്തുവയസ്സിനുതാഴെ ൭൲ വിധവകൾ ഉണ്ടെന്നുകാണുന്നു. ഈ ൭൲ പേരും വിധവകളായി ജനിച്ചവരൊ നിത്യവൈധവ്യം അനുഭവിക്കണമെന്നു നിശ്ചയിച്ചിട്ടുള്ളവരൊ അല്ല എന്നുള്ളതു നിശ്ചയമാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഈ വിധവകൾക്കു് പിന്നീടു വിവാഹംചെയ്യരുതൊ?

MR. A. NARAYANA PILLAI (*Vaikam*) പിന്നീട് വിവാഹം പാടില്ല എന്നുള്ള നിർബന്ധം ഈ സമുദായങ്ങൾക്കുണ്ടു്. ശൈശവവിവാഹം നിർബന്ധമുള്ള സമുദായങ്ങൾക്കു പുനർവിവാഹം പാടില്ലെന്നു നിർബന്ധവുമുണ്ടു്. അതു അവർക്കു ഭ്രഷ്ടാണ്.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*): ഈ ൭൲ പേരും രണ്ടാമതു് വിവാഹംകഴിക്കാൻ പാടില്ലാത്തവരല്ലെ?

MR. A. NARAYANA PILLAI (*Vaikam*); എന്നാണ് ഊഹിക്കേണ്ടതു്. ഋതുവാകുന്നതിനുമുമ്പ് വിവാഹംകഴിക്കണമെന്നുള്ളതുകൊണ്ട് ഈ ൭൲ പേരും നിത്യവിധവകളായിത്തന്നെയിരിക്കണം. നിർബന്ധമായ ഒരു ആചാരംകൊണ്ടു വന്നുചേർന്ന ഈ വൈധവ്യംനിമിത്തം അവരുടെ മാതാ

[Mr. A. Narayana Pillai.]

പിതാക്കന്മാൎക്ക് എത്രമാത്രം സങ്കടമുണ്ടെന്നു ആലോചിച്ചുനോക്കേണ്ടതാണ്. ൧൫ വയസ്സിനുതാഴെയുള്ള വിധവകൾ ൫൦൦-ൽ ചില്വാനം ഉണ്ട്. ഈ നിലയിൽ പ്രായമാകുന്നതിനുമുമ്പ് എത്രമാത്രം വിധവകളാണ് ഒരു ചെറിയ സമുദായത്തിൽ ഉണ്ടായിക്കൊണ്ടിരിക്കുന്നതെന്നു അനുമാനിക്കാവുന്നതാണ്. വെറും ആചാരത്തെമാത്രം അടിസ്ഥാനപ്പെടുത്തി നടത്തിവരുന്ന ഈ ശൈശവവിവാഹത്തെ ഒരു നിയമംമൂലം നിറുത്തലാക്കണമെന്നാണ് എന്റെ അഭിപ്രായം. സൗകൎയ്യത്തിനുവേണ്ടി ഇതിൽ ചില എക്സെപ്ഷൻ വയ്ക്കരുതോ എന്നു ചിലർ അഭിപ്രായപ്പെടുന്നു. അങ്ങിനെ സൗകൎയ്യത്തിനുവേണ്ടി ചെയ്യുമ്പോൾ പല തടസ്സവും ഉണ്ടാകും. വിവാഹംകഴിഞ്ഞശേഷം ഭൎത്താവിനെ പഠിപ്പിക്കേണ്ടിയിരിക്കുന്നു. അതിലേക്കാണു ചില എക്സെപ്ഷൻ വേണമെന്നു പറയുന്നതു്. അങ്ങിനെയാണെങ്കിൽ സ്ത്രീധനഏൎപ്പാടു നടപ്പിൽ വരുത്തുന്നതാണു കുറേക്കൂടി നല്ലതായിട്ടുള്ളതു്. അല്ലാതിരുന്നാൽ ഭൎത്താവു പഠിച്ചുകഴിഞ്ഞുവരുമ്പോൾ പുരുഷൻ സ്ത്രീക്ക് അടിമയാകണം. അല്ലെങ്കിൽ ഭൎത്താവിന്റെ സ്ഥിതിയനുസരിച്ചു ഭാൎയ്യ യോജിക്കാതെ പരസ്പരം സൗഹാൎദ്ദതയില്ലാതെ വരുന്നതാണ്. അതിനാൽ സൗകൎയ്യത്തിനുവേണ്ടി എക്സെപ്ഷൻ ചെയ്യാതെ സ്ത്രീധനഏൎപ്പാടു നടപ്പിൽവരുത്തുന്നതാണ് ഉത്തമമായിട്ടുള്ളതു്. ഭൎത്താവു മരിച്ചാലും ആ ധനം തിരിയെ കിട്ടത്തക്കവിധത്തിൽ വ്യവസ്ഥചെയ്താൽ മതിയാകും.

MR. K. P. ABRAHAM (*Muvattupuzha cum Todupuzha*): ശൈശവവിവാഹത്തിനു സ്ത്രീധനം ഏൎപ്പാടുണ്ടായിരുന്നോ?

MR. A. NARAYANA PILLAI (*Vaikam*): മുമ്പുണ്ടായിരുന്നു.

സ്ത്രീധനം ഏൎപ്പെടുത്തിയതു കൊണ്ടു ശൈശവവിവാഹം കുറയുമെന്നല്ല എന്റെ അഭിപ്രായം. ചെറുപ്പത്തിൽതന്നെ അനുരൂപനായ ഒരു ഭൎത്താവിനെ തിരഞ്ഞെടുത്തു പഠിപ്പിക്കാൻ സൗകൎയ്യമുണ്ടായിരിക്കണമെന്നു പറഞ്ഞതുകൊണ്ടാണു സ്ത്രീധനത്തിന്റെ കാൎയ്യം പറഞ്ഞതു്. അല്ലാതെ സ്ത്രീധനം നല്ല ഒരേൎപ്പാടല്ല.

മാതാപിതാക്കന്മാർ തങ്ങൾക്കു പ്രായം അധികമാകുന്ന അവസരത്തിൽ മക്കൾക്കു നേരത്തെ വിവാഹം നടത്തിവയ്ക്കണമെന്ന് ആഗ്രഹിക്കുന്നു എങ്കിൽ അതിനു തടസ്സമായി വരികയില്ലേ എന്നു ചിലർ അഭിപ്രായപ്പെട്ടു. മരണം എപ്പോഴുണ്ടാകുമെന്നു ഒരുത്തൎക്കും അറിഞ്ഞുകൂടാ. ഭാൎയ്യാഭൎത്താക്കളാകാൻ ഉദ്ദേശിക്കുന്നവർതന്നെ നേരത്തെ മരിച്ചു എന്നു

വരാം. അതിനാൽ ആ കാരണം വച്ചുകൊണ്ടും എക്സെപ്ഷൻ ഉണ്ടാക്കേണ്ടയാവശ്യമില്ല.

അതിനാൽ മിസ്റ്റർ രാജാ അവതരിപ്പിച്ച പ്രമേയത്തെ, ശൈശവവിവാഹത്തെ തടയണമെന്നുള്ള ഈ പ്രമേയത്തെ, എല്ലാവരും സ്വീകരിക്കണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ അനുകൂലിച്ചു കൊള്ളുന്നു.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Sir, I move for a closure of the debate.

DEPUTY PRESIDENT: I should like to allow every member to have his say, especially as we have representatives of the Mahomedan community here; they may like to express their views on the matter. I do not therefore think that it will be proper to terminate the debate in the manner you require, Mr. Madhavan Pillai.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I wish to bring to the notice of the House another point. The community which will be affected most by this legislation, if it comes into force, is, unfortunately, not represented now in this House, as the Deputy President happens to be in the chair.

DEPUTY PRESIDENT: I shall make a statement of my views on the matter before the question is put to vote.

MR. P. S. MAHOMED (*Nominated*): ശൈശവവിവാഹം ഒരു സോഷ്യൽ ഈവിൾ ആണെന്നുള്ള സംഗതി പ്രതികൂലമായിട്ടും അനുകൂലമായിട്ടും ഇവിടെ സംസാരിച്ചവർ സമ്മതിച്ചുകഴിഞ്ഞു. അതിന്റെ സംബന്ധിച്ചു ഇനിയും കൂടുതലായി സംസാരിക്കേണ്ടതാവശ്യമില്ല. ഇപ്രകാരമുള്ള വിവാഹംകൊണ്ടു പൊതുവെ മനുഷ്യരുടെ ആരോഗ്യത്തെ നശിപ്പിക്കുകയും ദീർഘായുസ്സിനെ ഇല്ലായ്മചെയ്യുകയും ചെയ്യുന്നു എന്നുള്ളതും ഇവിടെ പ്രസ്താവിച്ചുകഴിഞ്ഞു. ഈ രീതിയിൽ ഇത്തരം വിവാഹങ്ങൾ ഇനിയും നടക്കുകയാണെങ്കിൽ മനുഷ്യരുടെ ജീവിതം വളരെ ചുരുങ്ങിയ ഒരു കാലമായി തീരുന്നതാണ് എന്നും ഇവിടെ പ്രസ്താവിച്ചുകഴിഞ്ഞു. ഈ സംഗതികളിൽ യാതൊരു അഭിപ്രായവ്യത്യാസവും എനിക്കില്ല. ശൈശവവിവാഹത്തെ ഇല്ലായ്മചെയ്യണമെന്നുള്ള അഭിപ്രായക്കാരനാണു ഞാനും. അതിനാൽ അതിനെപ്പററി ഒരു പ്രസംഗം ചെയ്യേണ്ടയാവശ്യമില്ല. എന്റെ സ്നേഹിതൻ മിസ്റ്റർ കുഞ്ഞുകൃഷ്ണപിള്ള ഇസ്ലാംമതപ്രകാരം വേറെ ചില രാജ്യങ്ങളിൽ ശൈശവവിവാഹത്തെ എതിർക്കുന്നു എന്നു പ്രസ്താവിച്ചു.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): മററു രാജ്യങ്ങളിൽ എതിൎക്കുന്നു എന്നല്ല പറഞ്ഞതു്.

MR. P. S. MAHOMED (*Nominated*) : ബ്രിട്ടീഷിഇൻഡ്യയിൽ സർദാ ബില്ലിനെ എതിർത്തു എന്നു പറഞ്ഞു. മതസംബന്ധമായ പ്രതിബന്ധമുണ്ടായിരുന്നു എങ്കിൽ ഒന്നാമതായി ഈ റസല്യൂഷനെ എതിർക്കുന്നതു ഞാനായിരിക്കും. ഇസ്‌ലാംമതം ശൈശവവിവാഹത്തെ അനുകൂലിച്ചിട്ടില്ല. എന്നാൽ പ്രത്യക്ഷമായി അതിനെ നിരോധിച്ചിട്ടില്ല എന്നേയുള്ളു. ചില സൂചനകൾ കൊണ്ടു ശൈശവവിവാഹം നല്ലതല്ലെന്നു കാണിച്ചിട്ടുണ്ടു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): എത്ര വയസ്സുവരെയുള്ള വിവാഹത്തെയാണു നല്ലതല്ലെന്നു പറഞ്ഞിട്ടുള്ളതു്.

MR. P. S. MAHOMED (*Nominated*): ഋതുവാകുന്നതുവരെയുള്ള വിവാഹമാണു നല്ലതല്ലെന്നു സൂചിപ്പിച്ചിട്ടുള്ളതു. പ്രായപൂർത്തിയായതിനു ശേഷമുള്ള വിവാഹമാണു ന്യായമായിട്ടുള്ളതു്. സ്ത്രീയുടെ സമ്മതത്തോടു കൂടിയ വിവാഹമായിരിക്കണം. ഒരു സമ്മതം കൊടുക്കണമെങ്കിൽ പ്രായപൂർത്തി ആകണം. പ്രായപൂർത്തി ഇല്ലാത്ത ഒരു സ്ത്രീയെ വിവാഹം ചെയ്താൽ പ്രായപൂർത്തിയായ ശേഷം ആ സ്ത്രീക്കു ആ വിവാഹത്തിൽനിന്നും മാറിപ്പോകാൻ അധികാരം കൊടുത്തിട്ടുണ്ടു്. ഈ വിധത്തിലല്ലാതെ ഇസ്‌ലാംമതം ശൈശവവിവാഹത്തെ അനുകൂലിച്ചിട്ടുണ്ടു് എന്നു് ആരും തെററിദ്ധരിക്കരുതു്. സെൻറിമെൻറലായിട്ടു പ്രവർത്തിക്കുവാൻ ആഗ്രഹമുള്ള പലരും ഉണ്ടു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): മുസ്‌ലീമിങ്ങളുടെയിടയിൽ ശൈശവവിവാഹം നടക്കുന്നുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ചില സ്ഥലങ്ങളിൽ നടക്കുന്നുണ്ടു്. അതിനെ പ്രത്യേകിച്ചു മുസ്‌ലീം സമുദായത്തിൽ നിന്നും തടഞ്ഞിട്ടില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഇപ്പോഴും നടപ്പിലുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ചില സ്ഥലങ്ങളിൽ നടപ്പുണ്ടു്.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Sir, I do not want to make a long speech. But, I find that the mover of the resolution and my friend who opposed it, have both quoted me in support of their respective arguments. The mover said—at least I understood him like that—that child-marriages are increasing from Census to Census.

MR. RAMA VARMA RAJA (*Edavagai*) : എന്നല്ല ഞാൻ പറഞ്ഞതു്, മുമ്പിലത്തെ സെൻസസിൽ ഇതിനെപ്പററി ആവശ്യമുള്ള കണക്കുകൾ ശരിയായി എടുത്തിട്ടില്ലെന്നു സെൻസസ് കമ്മഷീണർ പറഞ്ഞു എന്നാണു ഞാൻ പറഞ്ഞതു്.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*) : I may say that from Census to Census, we do find a perceptible decrease in the number of child-marriages; but, I must admit that still a considerable number of little girls and boys are being married. To show that child-marriages are declining, I will just give some figures. I must say that both Mr. Raja, if he really quoted me when he said that child-marriages are *not* decreasing from Census to Census, and Mr. Krishna Pillai, are right and both are wrong. I shall take the Census of 1911 and compare it with that of 1931. In 1911, among the Hindus, out of 1,000 girls in the age group 5 to 10, 994 were not married so that the remaining six alone were married; and in 1931, seven were married out of 1,000. Among the Christians in the age-group of 5 to 10, in the year 1911, 5 per thousand were married, and in 1931, 9 per thousand were married. There is a slight increase. That is a point for Mr. Raja. Coming to the age-group 10 to 15, in 1911, among the Hindus, 73 girls per thousand were married, and in 1931, 75 per thousand were married. But among Christians, in 1911, 124 per thousand were married, and in 1931, the number came down to 87. So, among the Christians, we find a decided decrease from 1911 to 1931,

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is there not an increase in the case of girls in the age-group 5 to 10?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*) : After all, the absolute number is very small.

I will give some other figures. I have divided the Hindu population of the State, excluding the Brahmins, into two classes. The Brahmins stand by themselves; pre-puberty marriage is compulsory among them. In the age-group 7 to 13, the number of marriages among Brahmin girls is 87 per thousand, among Syrian Christian girls 17 per thousand, among the other Christians only 7 per thousand. The Hindus other than Brahmins I have divided into two classes, advanced and backward,—I mean from the point of view of education—just to see whether education has any influence on the marriage question. In the age- group, 7-13 among the advanced Hindus, 9 girls out of one thousand are married, and among the backward Hindus 11 per thousand. I am quoting these figures just to show that as education advances, the number of early marriages is decreasing.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : These figures apply only to the non-Brahmin communities, I suppose?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*) : Yes. The Brahmins are treated separately; they have the religious obligation that girls must be married before puberty.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the non-Brahmin Tamilian community is taken as advanced or backward? It is the custom among them to have pre-puberty marriages.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): I have made the classification on this basis: those communities, in which more than 50 per cent. of the male population of ages 7 and over are literate, are treated as advanced, and the rest as backward. The number of non-Brahmin Tamilians in this country is very small. As to whether I have treated them as advanced or backward, I can give the information only by referring to the table of literacy by caste which I have not got here. I have chosen only those communities which may be considered as advanced or backward from the point of view of education. My only object in doing so is to show that, as education advances, there is an appreciable decrease in the number of child-marriages.

MR. A. THANU PILLAI (*Trivandrum*): From the figures just quoted, I find that out of 1000 girls among the Syrian Christians, there are 17 early marriages, while among the other Christians, the number is only 7. And the Syrian Christians are advanced in education. How does the Member explain that?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): But, among the Syrian Christians, there is the largest decrease in the number of early child-marriages during the last two decades. From 124 in 1911 it has come down to 87 in 1931.

MR. A. THANU PILLAI (*Trivandrum*): In respect of the other communities also, the figures of the previous census are necessary, so that we can compare and see whether as education advances, the number of child-marriages decreases. Figures relating to Syrian Christians alone have been given now.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Unfortunately, those figures are not available at present.

As regards early marriages, among Hindus, the Brahmins stand first, and among Christians, the Syrian Christians, stand first. I think that is because child-marriage is the custom among them; but education is practically breaking up that custom as far as the Syrian Christians are concerned. That is the conclusion I have come to.

MR. A. S. DAMODARAN ASAN (*Mavelikkara* cum *Kartikapalli*): May I know the figures relating to Malayala Brahmins?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Among the Malayala-Brahmins, in the age-group 7 to 13, 45 girls out of one thousand are married, while in the case of the other Brahmins, 87 per 1000 are married.

No doubt, as education advances, the number of early marriages is decreasing. Whether we should allow this custom to die a natural death as education advances or whether we should resort to legislation and summarily dispose it of, is a matter for consideration. And this

is my view on the matter. I have put it in a nut shell in the chapter on civic condition in the Census Report I am writing and shall read it out to the House.

> "The Sarda Act of British India prescribing the age-limit for the marriage of girls at 14 and for boys at 18 is not in force in Travancore. There is no general demand from the people as yet for the enactment of a similar law in this State, nor does there seem to be any urgent necessity for it. We have seen that infant marriage is far less common in this State than in India and that it is declining with the spread of education. The custom is not, however, altogether extinct. 42 girls out of 1,000 between the ages of 5 and 15 are married or widowed in this State as against 221 in India. Marriage of immature persons is a serious social evil. Its existence, on however small a scale, tends to undermine the health and vigour of the future generations. Whether it should be allowed to die a natural death under the stress of enlightened public opinion or summarily disposed of by legislation is a question that ought to engage the earnest attention of social reformers."

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : Is it in one of the earlier Chapters of the Report of the Census Commissioner?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*) : I am not going to divulge that secret now (*Laughter*).

After all, Sir, it is not so much in the marriage as in the consummation that the evil lies.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Is it not better to prevent the marriage itself so that consummation cannot take place?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*) : It is the early union that should be prevented and not betrothal. Opinion is gaining ground that in countries like America, where there is law prohibiting child-marriage, malpractices are very common among children of both sexes. Whether it is not, therefore, better to allow betrothals to take place early, and to legislate that consummation of marriage should take place only after a certain age, so that the malpractices and evils so rampant among children in schools may be put an end to, is a point for consideration. I am only putting it forward as a suggestion. Personally as I have already stated I am for stopping this social evil. But, whether it should be by legislating against marriage or against consummation of marriage is the matter for consideration. I am perfectly at one with my friends, in thinking that it is a matter which ought to engage the attention of the House.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : I wish to say a few words on the resolution. We have heard much about the evils of child-marriage; and our lady member has told us that women in general have felt the evil so much that they, as a body, are sure to support any form of legislation to prevent this evil.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : The wearer alone knows where the shoe pinches.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : Quite so. I have myself seen the results of child-marriages which are in some cases tragic.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): I do not hear the member, Sir.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): I can speak louder than the member himself, and I am prepared to come to the front even, if there is any necessity for that. If he would listen carefully, I am sure, he would be able to hear me.

I need not tell you that the physique of the Indian is going from bad to worse ; and when we consider the great necessity to improve the national physique, we should try our best to ward off anything which tends to undermine it. I do not say that child-marriage is the only cause contributing to the deterioration of the physique. Of course, malnutrition also contributes to a great extent ; but, child-marriage is a cause which can be prevented far more easily than the evil of malnutrition.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): What is the earliest age at which the doctor would recommend the union of a man and a woman ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : Fifteen or sixteen for the girl, and in the case of the boy, at least twenty—I think even twenty-five—would be excellent. We find that people who get married a little late are able to keep better health.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : Whose health will be more adversely affected by child-marriage, the husband's or the wife's ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): Of course, the girl's ; I do not say that the health of the boy will not be affected. But the girl's health would be affected more, because she has to bear the burden of maternity.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Will birth-control be a panacea for all these ills ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : No ; it is not at all a panacea. On the other hand, it is likely to lead to various other troubles.

MR. L. A. BISHOP (*Commissioner of Police*): What does the member mean by saying that the physique of the Indian is getting from bad to worse ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) The general standard of health is deteriorating every day.

MR. L. A. BISHOP (*Commissioner of Police*) : How does the member arrive at that conclusion ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*)) : From personal experience of the past 25 years.

MR. S. KRISHNA PILLAI (*Karunagapalli*) I rise to a point of order Sir. The member is not addressing the chair.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): In the case of child-marriages, what happens is this. The mother, weakened by uccessive child-births, becomes, when she is about twenty, unable to attend to her house and to her children. The children thus neglected become an easy prey to various diseases. The mother herself, because of her tender age does not know what is good for her children and what is not.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): In view of the partition of the Nayar *tarwads*, has it not become necessary that the children must be looked after by their young mothers themselves?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): As regards the Nayar community, I do not think the evil is so great. But when we take other communities into consideration, I am sure every one will admit that the prevention of child-marriages is absolutely necessary. I have seen numerous children suffering from diseases which could have been easily prevented had the mother been capable of giving proper nourishment to the children and also of attending on them. This is a great factor in contributing to the enormous infantile mortality in Travancore. So long as we recognise that this *is* an evil, even though it may not be a growing evil, I think all of us should join hands and see that it is rooted out as early as possible. The Census Commissioner has given us figures which show that child-marriage exists among the various communities in the State. I do not want to take up any more time. I am sure that most of the members when they think of it will agree that it is high time to put a stop to this child-marriage; and that our efforts should be to improve the physique of the nation so that we may become healthy.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Are not the ailments due to child-birth more common among child-mothers?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): Yes, certainly. As regard child-widows............

MR. K. GEORGE (*Chief Secretary to Government*): Are there many child-widows in Travancore?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): Yes, a good number. Taking all communities into account, you find a good number of child-widows between the ages of thirteen and fourteen.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Which number is greater, that of widows or of widowers?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): The number of widows is, of course, greater; because, the widowers can re-marry.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is there any restriction against widow re-marriage?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): In some communities there *are* restrictions.

MR. S. KRISHNA PILLAI (*Karunagapalli*). What is the opinion of the member in regard to the number of child-mothers who have been brought to his notice in his capacity as medical officer?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): I cannot give figures.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Are any statistics available on the question of the health of child-mothers?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): The figures can be obtained from maternity hospitals But, I may assure the House that there is a fairly large number of such cases.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will the average be a hundred per year?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): All communities put together contribute a good number.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What are the communities, mainly, which have large numbers of these child-mothers?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): I have not considered the question from that viewpoint. I am only giving my own opinion in the matter.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What are the reasons which, ordinarily, induce parents to celebrate child-marriages?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): There may be economic reasons.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is there any other reason?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): I do not know.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is it the opinion of the member that such economic considerations should not weigh with a community that does not discountenance child-marriages?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): I have already stated that I have not considered the question from the communal standpoint.

MR. S. KRISHNA PILLAI (*Karunagapalli*): When other important considerations weigh with the communities in celebrating child-marriages, can it be said that child-marriage is an evil?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): It *is* an evil all the same.

MR. S. KRISHNA PILLAI (*Karunagapalli*): When there are other considerations more vitally affecting the people?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): We want sturdy men and women for our nation.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the physiological consideration more important than any other matter on earth?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : Yes; all of us must try to become strong. As a race,we must be respected in point of health. Child-marriage is an evil which undermines the health of our men and women.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): The member has stated, in answer to a question put by Mr. Madhavan Pillai, that delivery troubles are greater in the case of child-mothers. Can the member assure the House whether those troubles are attached to all cases of first delivery or whether they are special in the case of girl-mothers?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*). The point is this. Naturally when a girl is married at thirteen, she starts giving birth to children at fourteen; and every alternate year she goes on producing, so that by the time she is twentyone she has five or six children. Her vitality is sapped.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : The issues also get weaker?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : Yes.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): So difficulties of delivery get less and less?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : The member is evidently thinking of the mechanical difficulties. (*Laughter.*) My point is this. When a girl marries early, naturally, she gives birth to plenty of children.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Is that *natural*?

DR. K. RAMAN TAMPI (*Inspcting Medical Officer*) : I should think so, from the physiological point of view.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Has any instance ever been brought to the notice of the member, of early marriage in the Nayar community, being resorted to merely for the sake of educating the young son-in-law.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): I cannot think of it. No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Not even a single instance?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : No.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Will the member think about it and answer me?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): I cannot think of any such instance.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is it not a fact that educated men, sometimes, marry their daughters, when they are between ten and fourteen, to suitable husbands who are then sent to England for higher studies?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): There *are* stray cases of the kind.

MR. S. KRISHNA PILLAI (*Karunagapalli*); Is it from the point of view of the advantage to the community that even educated men, who know of the evils of child-marriage, encourage such marriages and still prevent the evil effects apprehended by a doctor?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): It is not at all advantageous.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member speak from the point of view of education or from that of the economic prosperity of the community?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): From no standpoint it is advantageous. Because when these sons-in-law return after education abroad and come to see their baby-wives, there is sure to be disruption of the family.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If that be the opinion of the member, may I know whether any such instance has ever been brought to his notice?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): So, am I to understand that the member's experience is that such occasions are common among the members of the Nayar community or the non-Brahmin community?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): After all, of late only one or two of such instances have been brought to my notice.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Are there not unhappy marriages even among adults?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Are the chances for disruption of the family and misery more in the case of child-marriages than in other cases?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): Yes.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): At what stage is a girl expected by Nature to give birth?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): That is not the issue now. The point is, she must be able to rear her children. It is only when she is sixteen or eighteen that she can understand that.

MR. A. THANU PILLAI (*Trivandrum*): Does Nature expect every girl to become a mother? (*Laughter.*)

DR. K. RAMAN TAMPI (*Inspecting Medial Officer*): Certainly not.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): Is it the opinion of the member, that maternity is a very great responsibility which ought not to be undertaken by a girl?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): Yes.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*) If undertaken, it will ruin the girl; is it not?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : Yes.

MR. K P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Is it the member's opinion that the number of child-widows is the criterion for judging the amount of evil done by early-marriage?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : In Travancore, we are mainly concerned with communities among whom the question of widowhood does not come up at all.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Why did the member say that child-widowhood is a serious evil following from effects of child-marriage?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): In the case of those communities in which widow-remarriage is not the custom, these child-widows have to remain as widows throughout their lives. They have to lead a miserable life.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : I suppose the member's point was that the child-widows exist only on account of child-marriages?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : May I remind the member of the time-limit?

DEPUTY PRESIDENT : I think the member has a right to speak on the resolution.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): He is like every other member so far as this resolution is concerned.

DEPUTY PRESIDENT : The rules allow twenty minutes for the official member in charge of the resolution.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): In this case, Dr. Tampi is not in charge of the resolution. So, he is like every other member of this House.

DEPUTY PRESIDENT : He is speaking as the Government Medical Officer. So, I have allowed him some more time. Is there any member of the Syrian Christian community who desires to speak?

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : I stand up to speak, not because I hope to be able to add anything to the learned speeches already made by the two doctors. The main question is not whether child-marriage is a social evil or not. There is no difference of opinion with regard to that. Even the opposer of the resolution does not say that the social evil should be allowed to continue. He also states that it must be stopped; but he does not want it to be stopped all on a sudden. He says that the number of child-marriages now-a-days is slightly decreasing, and that there is, therefore, no necessity for legislation. Education is slowly removing the evil; and in course of time, without any trouble, it will drive away the evil. He does not admit that there are many cases of early-marriages now; and he says that the harm done to society, at present, by child-marriages, is not so great as to warrant preventive

[Mr. K. Gopalakrishna Pillai.]

legislation. In a House which has legislated against traffic in women, an evil which did not, according to the Law Member who introduced that Bill, exist in Travancore, will it not be pardonable if a Bill is attempted to be introduced to stop the evil which is admittedly in existence here? The amendment to the Criminal Law was sought to be introduced by the Law Member for an evil which did not actually exist, but which may come into existence. Here, in the present instance, child-marriage *is* an evil which actually exists in the country. So, I do not think we would be ill-advised if we enact a legislation against the evil. Moreover, this is a measure that has been passed in British India after mature consideration. For years the problem was agitating in the minds of the leaders of India, and after mature consideration of all the aspects of the question, they have come to the conclusion that legislation alone would remedy the evil. Here, in Travancore also, the evil does exist. But, it is decreasing, may be because of education as the opposer of the resolution put it. But it is decreasing only very slowly. I think we have to be impatient in getting rid of this evil. The speed with which it is decreasing is very slow. We must do away with it, as soon as possible so that the vitality of the nation may be preserved. The member who opposed the resolution has not stated that there will be any harm resulting from enacting a measure of this kind.

MR. S. KRISHNA PILLAI (*Karunagapalli*). Is it the member's idea that on all harmless matters we should have legislation?

MR. K. GOPALAKRISHNA PILLAI (*Parur*): No. Now, there *is* an evil, and to get rid of it there is necessity for legislation. To oppose the suggestion, it is for Mr. Krisnna Pillai to make out that there is any harm likely to result from it. Education is not likely to root out the evil, because the education that is imparted today does not deal with sexual science or eugenics. If there is any decrease in the evil in recent years, it is due to the force of public opinion from outside. Education by itself cannot claim any credit for having done anything in this direction.

MR. S. KRISHNA PILLAI (*Karunagapalli*). How does the member account for the decline in the number of child-marriages ?

MR. K. GOPALAKRISHNA PILLAI (*Parur*) I have already stated that it is due to public opinion outside. Public opinion is a great factor in social matters. The member who opposed the resolution also said that the proposed legislation would be infringing on the rights of the individual. The individual forms part of society. The interests of society require that he should subordinate his interests for the good of the community. It is the individualistic tendency in us that has ruined us. If the individual would live for the welfare of the community, I am sure many of our social evils would disappear in no time. Therefore, society has a right to infringe on the rights of the individual in matters affecting social welfare. Sir, the existence of the Government itself is an infringement of the liberities of the people. So, shall we go in for anarchy or syndicalism?

MR. . KRISHNA PILLAI (*Karunagapalli*) : Why does the memb say that the existence of the Government is an infringement on h liberty of the individual ?

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Because the individual is neither free nor is he allowed to be free.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : When there is chaos among the people is it not better to have a properly constituted Government ?

MR. K. GOPALAKRISHNA PILLAI (*Parur*) : Anarchy is not chaos. It is a subject requiring some study. It is akin to syndicalism. My opinion is that when in very important matters the liberty of the individual is curtailed, there is absolutely no harm in doing so for the good of the society. With these words, I strongly support the resolution.

DEPUTY PRESIDENT : Any more speakers, please ? Mr. Kocheeppan Mappillai, do you wish to speak on the resolution ? Is there anybody from the Syrian Christian community who wants to speak on the resolution ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, the time is up. If the Chair is going to invite all the members to talk on this resolution, I do not know when the debate on this resolution is going to end.

DEPUTY PRESIDENT : The Syrian Christian community has been accused as the worst sinner in this matter ; and we would like to have their say on the matter. I do not think anybody can question the right of the Chair to call upon any member to speak.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : I think I should oppose the principle of the resolution. From the statistics furnished by the Census Commissioner and the views expressed by the Medical Officer, I think it has not been clearly proved that early marriage *is* an evil. The number of widows, at the last census, between the ages of 5 and 10 is 71 ; and between 10 and 15 years of age, their number is 509. These figures were made as a basis for showing that child-marriage was working serious harm on society. When I put the question to the doctor he said that the number of widows would in no way form a criterion for ascertaining the amount of evil due to child-marriage.

MR. K. GEORGE (*Chief Secretary to Government*) : According to the member, will the number of such marriages be a criterion for ascertaining the evil ?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : There must be some cause for the evil which has affected the physique. But, I am sure it is not due to child-marriage.

MR. K. GEORGE (*Chief Secretary to Government*) : Is there any rule prohibiting co-habitation soon after marriage ?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : No. But it has not been proved that child-marriage is the root cause of the trouble. At any rate, no case has been made out for having any legislative action against child-marriage.

MR. S. KRISHNAPILLAI (*Karunagapalli*): Is not the member aware of the rule of law which prevents everyone from co-habitation with his wife before she completes twelve?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Yes.

MR. K. GEORGE (*Chief Secretary to Government*): Is it not the provision, regarding the age of consummation, that the member is now speaking of?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Yes.

My point is this. If there are 71 widows, it means there have been 71 husbands who have died. The doctor tells us that child-marriage affects the woman's health more than the man's health. There are surely, cases of young bachelors dying. The number of widows therefore cannot be the criterion for ascertaining the amount of evil due to child-marriage.

MR. K. GEORGE (*Chief Secretary to Government*). But did not the doctor also tell us that the child-mother and also her children suffer on account of child-marriage?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): He simply made that statement without proving it.

Further, the statistics supplied by the Census Commissioner shows that there is really a decrease in the number of child-marriages and in the number of child-widows. We find this decrease not only in any one community but, practically in all communities, especially in the Syrian Christian community to which I have the honour to belong. Therefore, in my opinion, there is absolutely no hurry now for the enactment of a legislation preventing early marriage. In the case of Syrian Christians among whom early marriage is prevalent as it were as a custom, there is also the customary safeguard, prohibiting access, between the husband and wife in the early stages. That is to say, although the marriage is conducted at a very early age, still, as a matter of fact, we seldom find instances where a girl becomes a mother at the age of fourteen or before. The customary rules of behaviour effectively prevent the supposed evil.

MR. RAMA VARMA RAJA (*Edavagai*): കാൺട്രാസെപ്ഷൻ അനുഷ്ഠിച്ചാൽ പോരെ ?

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): അതു സാദ്ധ്യമല്ല.

Frequently, child-marriages are resorted to in the anxiety of the parents to find proper husbands for their daughters. If they allow their daughters to wait and grow, suitable matches may not be available when the desired moment comes; and for mature girls it often becomes increasingly difficult to get proper husbands. The amount of dowry also multiplies as years elapse. For these reasons, the Syrian Christian community has been adopting the custom of early marriage. But conditions are changing, and without any hurried legisation I believe matters will improve. There is no necessity therefore for expediting any piece of legislation for this purpose.

MR. K. I. KOCHEEPPAN MAPPILAI (*Nominated*): മി: രാമവമ്മരാജ ഇവിടെ അവതരിപ്പിച്ച പ്രമേയത്തോടു ഞാൻ പരിപൂൎണ്ണമായി യോജിക്കുന്നു. ഞാനുൾപ്പെട്ട സമുദായത്തിലെ നിയമം ൧൮ വയസ്സിലല്ലാതെ വിവാഹം നടത്താൻ പാടില്ലെന്നാണ്. അതുപോലെ തിരുവിതാംകൂറിലുള്ള മററുക്രിസ്ത്യാനികൾക്കും വേറെ വേറെ നിയമം ഉണ്ടു്.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): അതിന്നനുസരിച്ച് വിവാഹം നടക്കുന്നുണ്ടോ?

MR. K. I. KOCHEEPPAN MAPPILAI (*Nominated*): അങ്ങനെ നടക്കുന്നില്ല.

MR. N. K. KRISHNA PILLAI (*Neyyatinkara*): ഈ നിശ്ചയം എപ്പോഴാണുണ്ടായതു്?

MR. K. I. KOCHEEPPAN MAPPILAI (*Nominated*): അഞ്ചുവർഷമാകും. അതിനാൽ ഞങ്ങളെസംബന്ധിച്ചിടത്തോളം നിയമം ആവശ്യമില്ലെങ്കിലും ബാല്യവിവാഹം നിരോധിക്കണമെന്നുള്ള അഭിപ്രായത്തോടു് ഞാൻ പരിപൂൎണ്ണമായി യോജിക്കുന്നു.

MR. RAMA VARMA RAJA (*Edavagai*): ഈപ്രമേയത്തെ എതിൎത്തുകൊണ്ടു് മി: കൃഷ്ണപിള്ള സംസാരിച്ചു. ടെക്ക്നിക്കൽ ഗ്രൗണ്ട് വച്ചുകൊണ്ടാണ് മി: കൃഷ്ണപിള്ള എതിൎത്തതു്. ഒരു ലാ പാസായാൽ അതുപോലെ വേറൊരു ലാ പാസാക്കിക്കൂടഎന്നില്ല. പുതുതായി പാസാക്കുമ്പോൾ വേണ്ട ഭേദഗതി ചെയ്യാവുന്നതാണ്. മി: എബ്രഹാം പറയുന്നതു പണമേർപ്പാടിനെപ്പററിമാത്രമാണ്. ലാ പാസാക്കുകയാണെങ്കിൽ ചില കേസിന് എക്സെപ്ഷൻ കൊടുക്കുന്നതുകൊണ്ടു തരക്കേടില്ല. ബറോഡാ, മൈസൂർ, ഈ രാജ്യങ്ങളിൽ അപ്രകാരം ചെയ്തിരിക്കുന്നു. ഈ കൗൺസിലിൽ ലാമെമ്പർ ഉണ്ടാക്കിക്കൊണ്ടുവരുന്ന എല്ലാ ബില്ലുകളും വളരെ വ്യത്യാസത്തോടുകൂടിയാണ് അവസാനത്തിൽ പാസാകുന്നതു്. അതുപോലെതന്നെ ഈ സംഗതിയിലും വേണ്ട വ്യത്യാസങ്ങൾചെയ്തു് ഒരുബില്ലായി വെളിയിൽ ഇറങ്ങുകയില്ലഎന്നു് എനിക്കു വിശ്വാസമില്ല.

MR. A. NARAYANA PILLAI (*Vaikam*): ആവശ്യമുള്ള ഭേദഗതികൾ ചെയ്യുന്നതിന് അധികാരമില്ലെ?

MR. RAMA VARMA RAJA (*Edavagai*): ഉണ്ടു്.

MR. KAYALAM PARAMESWARAN PILLAI (*Additional Head sirkar Vakil*). ഇതിനെസംബന്ധിച്ച് ഒരു ബില്ലുകൊണ്ടുവരുവാൻ വല്ല തടസ്സവുമുണ്ടോ?

MR. RAMA VARMA RAJA (*Edavagai*): എനിക്കു യാതൊരുതടസ്സവുമില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*). ഈ റസല്യൂഷൻ പാസായാൽ ഒരു ബില്ലുകൊണ്ടുവരുവാൻ തടസ്സമുണ്ടോ?

MR. RAMA VARMA RAJA (*Edavagai*): റസല്യൂഷൻ ഗവണ്മെൻറിൽനിന്നും ബിൽ കൊണ്ടുവരണമെന്നല്ലെ? പിന്നെ ഈ ചോദ്യത്തിനവകാശമില്ല.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) ഗവണ്മെൻറിൽനിന്നും ഈ ബിൽ കൊണ്ടുവരണമെന്നാണൊ മെംബറുടെ അഭിപ്രായം?

MR. RAMA VARMA RAJA (*Edavagai*): അതെ. ഈ വിഷയത്തിൽ ഗവണ്മെൻറിന് തടസ്സമില്ലെന്നു പറഞ്ഞതിനും പുറമെ അനുകൂലമായികൂടി പറയുന്നതുകൊണ്ടു ഗവണ്മെൻറിൽനിന്നുംതന്നെ ഒരു ബില്ലുകൊണ്ടുവരുന്നതിനു തയ്യാറാകുമെന്നു വിശ്വസിച്ചുകൊണ്ട് ഈ പ്രമേയത്തെ വോട്ടിനിടണമെന്ന് ഞാൻ ആവശ്യപ്പെട്ടുകൊള്ളുന്നു.

DEPUTY PRESIDENT: Before putting the resolution to the vote, I would, as promised, make a statement. Because Mr. Kunjukrishna Pillai pointed out that—

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): It should not be taken that I wanted you to speak.

DEPUTY PRESIDENT: Far from it. I do not carry out any desire of Mr. Kunjukrishna Pillai in this matter. He pointed out that I was the solitary representative of a community which was the worst sinner in this respect. I would like to say that there is one other representative of that community here, *viz.*, Mr. Visvanatha Aiyar. I am thus only one of the representatives of that alleged sinning community. I may, at the outset say, that, so far as I am concerned, my personal view is that the resolution in its present form could not be supported on the short ground that this is a social legislation on a matter on which there have been sharp differences of opinion elsewhere and therefore not fit to be brought in as a Governmental measure.

MR. K. C. CHANDI (*Minachil cum Devicolam*): I rise to a point of order, Sir.

DEPUTY PRESIDENT: You are not entitled to raise a point of order now.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Rule 26 says that a point of order can be raised at any time.

DEPUTY PRESIDENT: But not when the President is on his legs.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I wish to point out, Sir, that Rule 26 allows a point of order to be raised at any time.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I have another point of order, Sir. When the President is on his legs, no other member has a right to raise a point of order. I wish to know whether ,when the President is speaking, any other member has a right to raise a point of order.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : With all respect, Sir, I wish to say that it is a difficult position in which we are placed. If the President makes a statement with respect to the procedure in this House, of course, we cannot question and we need not question. But when the President takes a particular point of view, with regard to a question under discussion we have a right to put questions to him.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I submit, Sir, that the President has a right to give his opinion and he has also got a vote. He can give his opinion before the motion is put to the vote.

DEPUTY PRESIDENT: When the President is in possession of the House, members cannot address the House. As such, no point of order can be raised now. The right now claimed by Mr. Chandi has accordingly to be refused as inadmissible.

I was saying that, I am not for accepting the resolution on the short ground that, being purely a social matter, a matter upon which there are sharp differences of opinion, we should not have such a pieck of legislation as proposed, brought in as a Governmental measure. Evels now, there are, before the Legislative Assembly in British India, bile questioning the advisability of having its provisions on the Statute Boon -a bill which according to them wounded the religious susceptibilities of certain classes of people. There, not only a minority class like the Brahmin community—or as was referred to, the Tamil Brahmin community—but also a large body of Mussalmans want to delete the Sarda Act from the Statute Book. It is neither desirable nor expedient therefore resolve upon requesting Government to move it as a Governmenta bill, here.

As regards the resolution itself, what is it that is sought to be avoided or averted by this piece of legislation ? The first object is said to be the avoidance of *child motherhood*, and the second, that of enforced widowhood. These two, if I have understood correctly the members who have spoken in support of the resolution, are the two sole reasons which have prompted them to advocate its introduction. As regards child motherhood, I ask you whether the course proposed would prove an effective remedy, a remedy which will serve as a radical cure for the evil that has been sought to be avoided. In the first place, as pointed out by the Law Member, it is doubtful whether, even in spite of the penal provisons of the Sarda Act, such marriages could be said to be *ab initio* void. For, it has to be remembered that among certain communities here, marriage is not a mere contract. If it is a contract, its being opposed to law and its having been penalised, may render it unlawful and therefore legally unenforceable. But so far as the communities which hold marriage as a sacrament are concerned, the same, when once performed, must be deemed to have become indissoluble ; my

[Deputy President,]

lawyer friends will agree with me in saying that the doctrine of *factum valet* will apply to such cases ; that is, once it has become a fact, it continues to be such all through. With them, consent of the parties is not an essential ingredient for valid marriages as in the case of the Mahomedans. Under the Mahomedan Law such consent has to be given on behalf of minor parties by their guardians. The marriages of minors on such consent have been declared to be lawful among them ; but the minor is allowed a right to repudiate such marriage immediately after he or she comes of age. But in cases under the Hindu Law, however, this is not permissible. Is it the object of this Council to interfere with this principle of the Hindu Law, because certain evils result from the type of marriages that take place now and to require marriage to be placed on the basis of ordinary contracts? I do not think any member of this House would go the length of saying that this has to be done. Among certain sections of the Hindus, a ceremony called marriage is gone through, as distinct from consummation, as one enjoined by their religious texts. It has been conceded that there are texts in the *smrities* either way, for and against such ceremonies. The relative binding nature of such texts is not a matter fit for discussion in this House.

Then the question is whether, while respecting the sentiments of those followers of the Hindu Law, the evils that are already referred to could be otherwise averted. The most effective solution of this difficulty lies, in my opinion, in raising *the age of consent*. I am not for discarding the expert opinion of the medical members of this House as regards the evil of premature maternity. Cetainly, our young men and our young women must be made stronger and more stalwart. The type of feeble invalid children that we sometimes have, must be avoided effectively and the rising youth of either sex must be made fit, healthy, and really useful citizens of the State in every sense of the term. For carrying out this purpose, is the Sarda Act, as we have now, really serviceable? As I have already pointed out, it is doubtful whether, under the Sarda Act, the marriage could be considered to be void. If it is not void, it may be said that there is the punishment for going through the marriages at ages below those prescribed under it. But consummation thereafter has not been penalised. Even if a punishment for such a marriage has been undergone, consummation thereafter between the couple has not been interdicted. If you raise the age of consent, and fix it at that advised by our medical experts to be the fit and proper one for conception, the evil results now apprehended could be effectively stopped. Even though the relationship of husband and wife exists, their cohabitation would be penal if effected below the ages so prescribed.

There was some reference in the course of the debate to the difficulties that may be experienced in proving the ages of the couple in such cases. In answer to this, I would only say that such fears could not be considered as weighty. There are other provisions in the penal statutes now where ages have to be proved. Take, for instance, the offence of kidnapping. There are several ways by which evidence could

be adduced as regards age. There is the medical expert who could be resorted to for saying with certainty what the age of a party is. Proof of age is thus not such a difficult matter as to justify the adoption of the ineffective course now suggested.

Then there is the question of enforced widowhood. No question of enforced widowhood really arises. Instances of widow—remarriage are frequently come across now. There may also be cases where widows may themselves refuse to remarry. The only course under the circumstances for this House is to see that the disabilities, if any exist, are removed by means of enabling provisions in other suitable statutes. It may perhaps be said that such remarriages may bring on social ostracism in some cases. There are the provisions of the law of slander and libel, both civil and criminal, which may be invoked in appropriate cases for avoiding this.

I would for these reasons state that I cannot accord my support to the resolution now before the House.

I would now proceed to put the resolution to vote.

The resolution was put and carried.

Mr. **KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*) : I demand a poll.

A poll was taken and the House divided as follows:

AYES—30.

1. Mrs. Anna Chandi.
2. Mr. K. C. Chandi.
3. Mr. S. Chattanatha Karayalar.
4. Mr. A. S. Damodaran Asan.
5. Mr. R. Dhanukoti Pillai
6. Mr. K. George.
7. Mr. K. Gopalakrishna Pillai
8. Mr. M. Govindan.
9. Mr. N. John Joseph.
10. Mr. Joseph Kunju.
11. Mr. K. I. Kocheeppan Mappillai.
12. Mr. N. K. Krishna Pillai.
13. Mr. A. Kumara Pillai.
14. Rao Sahib Dr. N. Kunjan Pillai.
15. Mr. K. Kunjukrishna Pillai.
16. Mr. C. O. Madhavan.
17. „ K. Madhavan Pillai.
18. „ K. P. Madhavan Pillai.
19. „ M. Mahomed Mustapha.
20. „ P. S. Mahomed.
21. „ E. G. McAlpine.
22. „ A. Narayana Pillai.
23. „ R. Nilakanta Pillai.
24. „ N. K. Padmanabha Pillai.
25. Dr. K. Raman Tampi.
26. Mr. Rama Varma Raja.
27. „ N. A. Sundaram Pillai.
28. „ A. Thanu Pillai.
29. „ R. Vaidyalingam Pillai.
30. „ J. S. Westerdale.

NOES—5.

1. Mr. K. P. Abraham
2. „ L. A. Bishop.
3. „ S. Krishna Pillai.
4. Mr. M. P. Madhavan Pillai.
5. „ P. Visvanatha Aiyar.

NEUTRALS—3.

1. Mr. Kayalam Paramesvaran Pillai.
2. Mr. E. V. Krishna Pillai.
3. „ K. Narayanaperumal Nadar

The resolution was declared carried.

The House* adjourned *sine die* at 5-9 P. M.

P. VISVANATHA AIYAR,
Secretary to the Legislative Council,

---

* The Council was prorogued by the following notification published in the issue of the Gazette dated the 3rd May 1932 :—

NOTIFICATION

R. O. C. No. 405/32/Legis.

Under order 4 (1) of the Travancore Legislative Council Standing orders, it is hereby notified that the First Session 1107, of the Legislative Council is prorogued.

T. AUSTIN,

Dewan.

Huzur Cutcherry,

Trivandrum, 7th April 1932.

Supplement A.

A BILL TO AMEND THE TRAVANCORE POLICE REGULATION, IV OF 1095.

Whereas it is expedient to amend the Travancore Police Regulation of 1095 (Regulation IV of 1095) for the purpose hereinafter appearing ; It is hereby enacted as follows :—

1. (1) This Regulation may be called the Travancore Police (Amendment) Regulation, 110 .

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

2. In Section 51 of the Travancore Police Regulation of 1095 (Regulation IV of 1095),

(*a*) After the word "vessel" the words "or in any public passenger vehicle "shall be inserted, and

(*b*) the following shall be added as an "Explanation" namely :—

"Explanation.—'Public passenger vehicle' means a vehicle used for carrying passengers for hire or reward other than a vehicle which carries passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum."

STATEMENT OF OBJECTS AND REASONS.

Drivers, conductors and passengers in public passenger vehicles, such as motor buses, are not infrequently found drunk and disorderly. The existing provision of the Police Regulation (Section 51) intended to check drunkenness and disorderly conduct in public places does not seem wide enough to cover such cases. As it is necessary to ensure orderliness in public passenger vehicles, this Bill has been drafted, to amend the Police Regulation, Section 51.

Supplement B.

THE TRAVANCORE TOWN-PLANNING BILL.

CONTENTS.

Preamble.

CHAPTER I.

PRELIMINARY.

Clauses.

1. Short title, extent and commencement.
2. Definitions.

CHAPTER II.

TOWN-PLANNING SCHEMES.

3. Matters that may be dealt with in scheme.
4. Reconstituted plots.

CHAPTER III.

MAKING VARIATION AND REVOCATION OF SCHEMES AND THEIR EFFECT.

5. Appointment of Director of town-planning.
6. A scheme to determine lines of improvement and development of towns.
7. Declaration of intention to make or adopt scheme.
8. Notification of resolution to make or adopt scheme.
9. Publication of draft scheme.
10. Power of Government to require council to make schemes.
11. Contents of draft scheme.
12. Sanctioning of scheme by Government.
13. Variation or revocation of scheme.
14. Compensation to persons affected by variation or revocation of scheme.
15. Permission to be taken for construction, etc., after publication of draft scheme.
16. Obligation on owners to comply with scheme after sanction.
17. Power of responsible authority to enforce scheme.

CHAPTER IV.

COMPENSATION FOR INJURIOUS AFFECTION AND CONTRIBUTION FOR BETTERMENT.

18. Right to compensation.
19. No right to compensation for building, etc., subsequent to first notification.
20. Exclusion or limitation of compensation in certain cases.
21. Application for sanction for withdrawal or modification of the scheme.
22. Power to levy betterment contribution.

23. Betterment contribution how calculated.
24. Assessment and collection of betterment contribution.
25. Option of objecting owner to require Council to acquire his property.

CHAPTER V.

The Arbitrator.

26. Government to appoint arbitrator.
27. Powers and duties of arbitrator.
28. Appeal against arbitrator's decision.

CHAPTER VI.

Finance.

29. Municipal town- planning fund.
30. Power to borrow.
31. Government grants or loans to town-planning fund.

CHAPTER VII.

Land Acquisition.

32. Modification of Land Acquisition Regulation.
33. Notification under section 12 to have effect as declaration under section 6 of Land Acquisition Regulation.
34. Sections 14, 22 and 23 of Land Acquisition Regulation superseded.

CHAPTER VIII.

Miscellaneous.

35. Power of councils to make agreements.
36. Town-planning committee.
37. Joint town-planning committee.
38. Power of Government to arbitrate in disputes between local authorities.
39. Powers of control of Government.
40. Powers of entry, etc.
41. Power of Government to make rules.
42. Previous publication of the rules.
43. Penalty for breach of the provisions of the scheme.

CHAPTER IX.

Town-planning Trusts.

44. Creation of town-planning trusts.
45. Constitution of trusts.
46. Chairman be given salary.
47. Removal of trustees.
48. Disabilities of trustees removed.
49. Application to trusts of this Regulation and their power to borrow.

50. Payment to trust by municipal councils.
51. Vesting in municipal council of streets laid out or altered, and open spaces provided by the trust under a scheme.
52. Ultimate dissolution of trust and transfer of its assets and liabilities to municipal council.
53. Power of Government to make rules for trusts.

CHAPTER X.

TRANSFER OF PROCEEDINGS.

54. Transfer of proceedings from one authority to another.

The Travancore Town-planning Bill.

Preamble.

Where as it is expedient that the development of towns should be regulated to secure to their present and future inhabitants sanitary conditions, amenity and convenience; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement

1. (1) This Regulation may be called " The Travancore Town-planning Regulation."

(2) It shall extend to the whole of Travancore, and

(3) It shall come into force on..............

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(1) "Chairman" means the " Commissioner of the Municipality" in the case of a municipality having a Commissioner and the "President of the Municipal Council" in the case of other municipalities.

(2) " Council means the municipal council of the area concerned.

(3) " Director " means the Director of Town-Planning appointed under this Regulation.

(4) "Municipality " means any local area declared as a municipality under the Travancore municipal Regulation V. of 1095 or any other law relating to the organisation and administration of Municipalities for the time being in force.

(5) "Owner " includes the person for the time being receiving, or entitled to receive, whether on his own account or as agent, trustee guardian, manager or receiver for another person, or for any religious or charitable purpose, the rents or profits of the property in connection with which the word is used.

(6) "Plot " means a continuous portion of land held in one ownership, other than land used, allotted or reserved for any public or municipal purpose.

(7) "Prescribed " means prescribed by rules made under this Regulation.

(8) "Reconstituted plot" means a plot which is in any way altered by the making of a town-planning scheme otherwise than by the severance of land used, allotted or reserved for any public or municipal purpose.

(9) "Responsible authority " means 'the authority or person who is specified in a scheme as responsible for carrying out or enforcing the observance of all or any of the provisions of the scheme or for enforcing the execution of any works which under the scheme are t be executed by any authority, owner or other person'.

(10) "Scheme" means a town-planning scheme and includes a plan relating to a town-planning scheme,

(11) "Town-planning" includes town improvement.

CHAPTER II.

TOWN-PLANNING SCHEMES.

Matters that may be dealt with in scheme.

3. A town-planning scheme may provide for all or any of the following matters:—

(a) the laying out or re-laying out of land, either vacant or already built upon, or building sites or for any of the purposes mentioned in this Section:

(b) the construction, diversion extension, alteration, improvement or closure of streets, roads and communications;

(c) the construction, alteration. removal or demolishing of buildings, bridges and other tructures;

(d) the acquisition by purchase, exchange or otherwise, of any land or other immoveable property within the area included in the scheme whether required immediately or not;

(e) the redistribution of boundaries and the reconstitution of plots, belonging to owners of property comprised in the scheme;

(f) the disposal by sale, exchange, lease or otherwise of land acquired or owned by the Council;

(g) transport facilities;

(h) water-supply;

(i) lighting;

(j) drainage inclusive of sewerage and of surface draining and sewage disposal;

(k) the allotment or reservation of land for streets, roads. squares, houses, buildings for religious and charitable purposes, open spaces, gardens, recreation grounds, schools, markets, shops, factories, hospitals, dispensaries, Government and municipal buildings and public purposes of all kinds;

(l) construction of houses;

(m) the preservation of objects and buildings of archaeological or historical interest or of natural beauty or actually used for religious purposes or regarded by the public with special religious veneration;

(n) the imposition of conditions and restrictions in regard to the character, number. architectural features and height of buildings allowed in specified areas, and the purpose to which buildings or specified areas may or may not be appropriated; and the provision and maintenance of sufficient open space about buildings;

(o) the suspension, restriction, or modification so far as may be necessary for the proper carrying out of the scheme, of any provision in the Travancore Municipal Regulation V of 1095 or in any rule or byelaw made under the said Regulation and in force in the area included in the scheme;

(*p*) the advance to the owners of land or buildings comprised within the scheme, upon such terms and conditions as may be provided by the scheme, of the whole or part of the amount required for the erection of buildings or for the carrying out of the works, alterations or improvements in accordance with the scheme;

(*q*) such other matters not inconsistent with the object of this Regulation as may be prescribed.

Reconstituted plots.

4. (1) The size and shape of every reconstituted plot shall be so determined as to render it so far as may be, suitable for building purposes.

(2) In order to render original plots more suitable far building purposes, the scheme may contain proposals—

(*a*) to form a reconstituted plot by the alteration of the boundaries of an original plot;

(*b*) to provide, with the consent of the owners, that two or more original plots, each of which is held in ownership in severalty or in joint ownership, shall thereafter, with or without alteration of boundaries, be held in ownership in common as a reconstituted plot;

(*c*) to allot a plot to any owner dispossessed of land in furtherance of the scheme; and

(*d*) to transfer the ownership of a plot from one person to another.

CHAPTER III.

MAKING VARIATION AND REVOCATION OF SCHEMES AND THEIR EFFECT.

Appointment Director of Town-planning.

5. (1) Our Government may appoint a person to be Director of Town-planning for Travancore and may assign to him from time to time such establishment as they think fit,

(2) The cost of such officer and his establishment shall be borne by Our Government.

(3) Municipal councils shall consult the Director on such matters relating to town-planning, and in such manner as may be prescribed. If any difference arises between the Director and a council on any matter so prescribed, it shall be referred to Our Government whose decision shall be final.

A scheme to determine lines of improvement and development of towns

6. A town-planning scheme shall determine the lines on which the improvement and development of the areas included in the scheme shall proceed and shall provide for such of the matters referred to in Section 3 and to such extent as may be prescribed.

Declaration of intention to make or opt scheme.

7. (1) A municipal council may, at any time, by resolution, decide to prepare a scheme in respect of any land, within the municipal area, or in its vicinity outside such area or to adopt with or without modifications a draft scheme proposed by all or any of the owners of any

such land. The chairman shall then have a plan prepared showing the land proposed to be included in the scheme, the surrounding lands and any existing streets.

(2) No town-planning scheme made or adopted by a municipal council shall include any area outside its limits without the sanction of Our Government.

(3) The decision of Our Government as to whether any land is in the vicinity of a municipal area shall be final.

Notification of resolution to make or adopt scheme.

8. The resolution under Section 7 shall be published by notification in the prescribed manner by the chairman; and such notification shall state that a copy of the plan is kept for the inspection of the public at all reasonable hours at the municipal office.

Publication of draft scheme.

9. (1) If the resolution is to make a scheme, the municipal council shall, within twelve months from the date of the notification under Section 8 or within such further period, not exceeding twelve months, as Our Government may allow, and after consulting, in the prescribed manner, the owners of lands and buildings in the area affected prepare and publish a draft scheme.

(2) If the resolution is to adopt a draft scheme proposed by owners, the council shall, without delay, publish such scheme.

Power of Government to require council to make scheme.

10. Notwithstanding anything contained in Section 7 to 9, Our Government may, in respect of any municipality, after making such inquiry as they may deem necessary by notification in Our Government Gazette require the council to prepare, publish and submit for their sanction a draft scheme as respects any land in regard to which a town-planning scheme may be made.

Such requisition shall operate and be treated in every respect as a resolution passed by the council under Section 7 and the council shall, proceed as if by a resolution the council had decided to prepare the scheme.

Contents of draft scheme.

11. (1) Every draft scheme shall contain the following particulars:—

(*a*) a plan showing the lines of existing and proposed streets;

(*b*) the ownership of all lands and buildings in the area to which the scheme relates;

(*c*) the area of all such lands whether public or private;

(*d*) a full description of all details of the scheme under such clauses of Section 3 as may be applicable;

(*e*) an estimate of the cost of the scheme;

(*f*) regulations for enforcing or carrying out the provisions of the scheme; and defining the responsible authority and the period for which such responsible authority shall function; and

(*g*) any other particulars or plans that may be prescribed or specially required by Our Government.

(2) Every draft scheme which includes a housing scheme shall also contain the following particulars, namely :—

(i) the approximate number and the nature of the houses to be provided by the responsible authority;

(ii) the approximate quantity of land to be acquired and the localities in which land is acquired;

(iii) the average number of houses per acre; and

(iv) all matters incidental to the housing scheme.

(3) A draft scheme may provide that any person who commits or knowingly permits a breach of any specified provision of the scheme, or who neglects or fails to comply with any such provision, shall, on conviction, be punishable under Section 43.

Sanctioning of scheme by Government.

12. (1) If within sixty days from the date of the publication of a draft scheme any person affected by such scheme communicates in writing any objection or suggestion relating thereto, the council shall consider such objection or suggestion and may modify the scheme as it thinks fit.

(2) The scheme as passed or adopted by the council together with all written objections and suggestions shall thereupon be submitted to Our Government for sanction and the fact of such submission shall be published in the prescribed manner.

(3) Our Government may, after considering the objections and suggestions, if any, and making such inquiry as they think fit, sanction the scheme with or without modifications, or may refuse to sanction the scheme or may return the scheme to the council for reconsideration:

Provided that unless a modification is, in the opinion of Our Government, verbal or inconsequential, Our Government shall not sanction the scheme with such modification without the consent of the council:

Provided further that when a scheme is returned to the council for reconsideration, the council shall resubmit it to Our Government within three months from the date of its receipt and Our Government may then deal with the scheme in the manner mentioned in this sub-section:

Provided further that if the council fails to resubmit the scheme within the time specified in the foregoing proviso, Our Government may, in relation to the scheme, pass such orders as they may deem fit.

(4) When a scheme returned for reconsideration is modified by the council, the scheme as so modified shall, before resubmission to

Our Government for sanction, be published and passed by the council in the same manner as a draft scheme,

(*a*) in cases in which the modification involves the inclusion in or exclusion from the scheme of any land or the acquisition of any land not originally proposed to be acquired, and

(*b*) in every other case in which the modification is, in the opinion of the council or of Our Government, of sufficient importance to require the following of this procedure.

(5) The sanction of Our Government to a scheme under sub-section (3) shall be published by notification in Our Government Gazette and such notification shall state at what place and time the scheme will be open to the inspection of the public.

(6) A notification published under sub-section (5) shall be conclusive evidence that the scheme has been duly made and sanctioned. The scheme shall have effect from the date of publication of such notification, and the execution of the scheme shall be commenced forthwith:

Provided that, where the scheme so provides, the execution of the scheme or any part thereof may be deferred until such time as may be fixed in the scheme.

Variation or revocation of scheme.

13. (1) A town-planning scheme sanctioned under Section 12 may at any time be varied or revoked by a subsequent scheme, published and sanctioned in accordance with this Regulation:

Provided that the municipal council shall be competent to modify a scheme after it has been sanctioned by Our Government under Section 12 by an agreement entered into with the persons interested in the scheme and with the concurrence of Our Government.

(2) (*a*) Our Government may, at any time, by notification in Our Government Gazette, vary or revoke a scheme sanctioned under Section 12.

(*b*) Before issuing such notification Our Government shall publish in the prescribed manner a draft of such notification together with a notice specifying a date on or after which such draft will be taken into consideration and shall consider any objection or suggestion which may be received in respect of such draft from the council or any person affected by the scheme before the date so specified.

Compensation to persons affected by variation or revocation of scheme.

14. If at any time after the day on which a scheme has come into force such scheme is varied or revoked, any person who has incurred expenditure for the purpose of complying with such scheme shall be entitled to receive compensation from the municipal council in so far as, by reason of the variation or revocation of such scheme, such expenditure has ceased to be in any way beneficial to him.

15. After the publication of a notification under Section 8 or Section 10 no person shall erect, or proceed with, any building or work on, or enter into or carry out a contract in respect of, land within the area included in the scheme, unless he has applied for and obtained permission, in cases where a scheme has not been sanctioned, from the municipal council, and in other cases, from a responsible authority:

Permission to be taken for construction, etc. after publication, of draft scheme.

Provided that, if the council or the responsible authority omits for three months from the date of receipt of such application to communicate to the applicant any order thereon, it shall be deemed to have granted the permission.

16. From the date of the notification of Our Government sanctioning a scheme under Section 12, all owners of lands and buildings in the area affected by the scheme who propose to construct or reconstruct or in any way alter or add to buildings shall conform in every particular with the requirements of such scheme; and no building shall be constructed or re constructed in any are a in which building is expressly forbidden in the scheme, or which is reserved in the scheme for any purpose incompatible with building.

Obligation on owners to comply with scheme after sanction.

17. (1) On and after the day on which the scheme comes into force, the responsible authority may make a provisional order requiring an owner—

Power of responsible authority to enforce scheme.

(*a*) to remove, pull down or alter any building or other work in the area included in the scheme which is such as to contravene the scheme, or in the erection or carrying out of which any provision of the scheme has not been complied with; or

(*b*) to execute within a specified period any work which it is the owner's duty to execute under the scheme, where the responsible authority is of opinion that delay in the execution of the work would prejudice the efficient operation of the scheme.

(2) The responsible authority shall serve a copy of the provisional order made under sub-section (1) on the owner, together with a notice requiring him to show cause, within a reasonable time to be specified in such notice, why the order should not be confirmed.

(3) If the owner fails to show cause to the satisfaction of the responsible authority, the responsible authority may confirm the order granting such further period, as it may deem fit, to execute the work and such order shall be communicated to and be binding on the owner and may be enforced. The expenses of enforcement may be recovered in the prescribed manner. An appeal shall lie to Our Government against the order of the responsible authority and their decision shall be final.

CHAPTER IV.

COMPENSATION FOR INJURIOUS AFFECTION AND CONTRIBUTION FOR BETTERMENT.

Right to compensation.

18. Any person whose property is injuriously affected by any refusal to grant the permission applied for under Section 15 or by the making of a town-planning scheme shall, if he makes a claim for the purpose within the time (if any) limited by the scheme, not being less than three months after the date of publication of a notification by Our Government sanctioning the scheme under Section 12, be entitled to obtain compensation in respect thereof from the municipal council.

No right to compensation for building, etc., subsequent to first notification.

19. A person shall not be entited to obtain compensation under Section 18 on account of any building erected on, or contract made, or other thing done, with respect to land included in a scheme after the date of the publication of the notification under Section 8 or Section 10:

Provided that this provision shall not apply to any building erected, contract made or other thing done in accordance with a permission granted under Section 15.

Exclusion or limitation of compensation in certain cases.

20. (1) Where a property is alleged to be injuriously affected by reason of any provisions contained in a town-planning scheme, no compensation shall be paid in respect thereof, if or in so far as the provisions are such as would have been enforceable without compensation under any law, rule or bye-law at the time in force.

(2) Property shall not be deemed to be injuriously affected by reason of any provisions inserted in a scheme, which impose any conditions or restrictions in regard to any of the matters specified in Section 3, clause (*m*) or clause (*n*).

(3) Where a person is entitled to compensation under this Regulation in respect of any matter or thing, and he would be entitled to compensation in respect of the same matter or thing under any other Regulation, he shall not be entitled to compensation in respect of that matter or thing under both the Regulations, nor shall he be entitled to any larger compensation under this Regulation than he would be entitled to under the other Regulation.

Application for sanctin for withdrawal or modification of the scheme.

21. (1) The municipal council may, within three months from the date of an award of compensation in respect of property injuriously affected, make an application to Our Government to sanction the withdrawal or modification of all or any of the provisions of the scheme which gave rise to the claim for compensation and give notice of such application to the owner of such property.

(2) If Our Government accord such sanction, the award of compensation shall stand cancelled, and the municipal council shall pay the costs, if any awarded by the arbitrator in connection with the claim for compensation.

(3) Nothing contained in this Section shall affect the right of the owner to make a fresh claim for compensation in respect of the modified scheme sanctioned by Our Government under sub-section (2).

(4) No award of compensation in respect of property injuriously affected shall be enforceable within three months from the date thereof, or, if notice has been given under sub-section (1), pending the orders of Our Government on the application made under the same subsection.

Power to levy betterment contribution.

22. Where by the making of any town-planning scheme the value of any property has increased or is likely to increase the municipal council, if it makes a claim for the purpose within the time (if any) limited by the scheme, not being less than three months after the date of publication of a notification of Our Government sanctioning a scheme under Section 12, shall be entitled to recover from the owner of such property an annual betterment contribution for such term of years and at such uniform percentage of the increase in value not exceeding ten per centum as may be fixed in the scheme:

Provided that the aggregate amount of the contributions so recoverd shall not exceed one-half of the maximum increase in value during the aforesaid term of years as ascertained under the next following Section.

Betterment contribution how calculated.

23. The betterment contribution shall be levied according to the following principles:—

(*a*) In respect of each property on which the contribution may be levied under Section 22 its market value at the date of the publication of the notification under Section 8 or Section 10 shall be estimated without reference to the improvements contemplated in the scheme:

(*b*) In each of the financial years following that in which the scheme takes effect under Section 12, sub-section (6), the market value of each such property on the firt day of Chingom of that year shall be estimated by the chairman.

(*c*) If, in any financial year, the market value estimated under clause (*b*) does not exceed that estimated under clause (*a*), no betterment contribution shall be levied for that year.

(*d*) If, in any financial year, the estimated market value under clause (*b*) exceeds that under clause (*a*), the municipal council shall levy on the difference a betterment contribution according to the percentage fixed in the scheme:

Provided that in estimating the market value of land under clause (*a*) or clause (*b*) the value of buildings or other works erected or in the course of erection on such land shall not be taken into consideration,

24. (1) The betterment contribution shall be a first charge on the property on which it is due, subject to the prior payment of land revenue, if any, due to Our Government thereon, and shall be paid in half-yearly instalments of one-half of the amount fixed for the year.

Assessment and collection of betterment contribution.

(2) (*a*) Our Government may make rules for the assessment and collection of the betterment contribution and subject to such rules, (i) the chairman shall have the same powers and shall adopt the same procedure for the assessment and collection of the betterment contribution as he has for the assessment and collection of the house tax or property tax, (ii) persons affected shall have the same right to receive notice of the assessment and to object to the assessment and to appeal in respect thereof as they have in respect of the building or land tax or property tax as the case may be and (iii) decisions on appeal shall to the same extent be final and conclusive ; and

(*b*) lands and buildings exempt from the building or land tax or property tax as the case may be shall also be exempt from any betterment contribution.

25. (1) If the owner of any property, separately registered in the municipal assessment books and assessed to a betterment contribution in any particular year, objects to the amount of such contribution on the ground that the market value estimated under clause (b) of Section 23 is excessive, he shall state the market value which, he contends, is correct, and may, within thirty days of the date on which the determination of his objection or appeal becomes final, by written notice, require the municipal council to acquire the property together with any buildings or other works that may exist thereon.

Option of objecting owner to require council to acquire his property.

(2) The council shall thereupon either acquire the property or accept the market value as stated by the owner and revise its assessment of the betterment contribution in accordance therewith.

(3) In case the council elects to acquire the property, the compensation payable therefor shall be determined according to the provisions of the Land Acquisition Regulation XI of 1089 as modified by Chapter VII of this Regulation :

Provided that the compensation payable for the property, apart from the buildings or other works thereon, shall not exceed the market value stated by the owner under subsection (1).

CHAPTER V.

The Arbitrator.

26. (1) After a scheme has been sanctioned Our Government may, and if so required by the council or any person interested in the scheme shall, appoint an arbitrator with sufficient establishment to discharge all or any of the following duties :—

Government to appointment arbitrator.

(*a*) to pass such orders as may be required under clauses (*a*) to (*d*) of sub-section (2) of Section 4;

(*b*) to define, and, where necessary, to demarcate, or cause the demarcation of, the reconstituted plots or the areas allotted to, or reserved for, the purposes mentioned in clause (k) of Section 3:

(*c*) to decide, in reference to the claims made, whether any property is injuriously affected within the meaning of Section 18 and award the compensation, if any, to be paid to the owner concerned in accordance with the provisions contained in Chapter IV; and

(*d*) to determine, in reference to the claims made, the properties which are liable to the betterment contribution under Section 22 nd estimate and record their market value at the date of the notification under Section 8 or Section 10 as the case may be, in accordance with the provisions of clause (*a*) of Section 23.

(2) The decisions of the arbitrator under clauses (*a*) and (*b*) of sub-section (1) shall be read as part of the scheme sanctioned under Section 12 and shall be final and binding on all persons.

Provided that where any such decision is in conflict with any provision in the scheme it shall require the approval of Our Government and, on such approval being given, shall be deemed, to the extent mentioned in such decision, to have varied the sanctioned scheme.

Powers and duties of arbitrator.

27. (1) The arbitrator shall give notice of his proceedings and conduct them in the prescribed mannar and communicate his decision to the parties concerned.

(2) An arbitrator shall have all the powers of a Civil Court under the Code of Civil Procedure, 1100, for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and compelling the production of documents and material objects.

(3) The costs of and incident to all proceedings before the arbitrator shall be in his discretion and the arbitrator shall have full power to determine by whom or out of what property and to what extent such costs are to be paid and to give all necessary directions for the purpose aforesaid.

Appeal against arbitrator's decision.

28. (1) Any party aggrieved by any decision of the arbitrator under clause (*c*) or clause (*d*) of sub-section (1) of Section 26 may within three months from the date of the communication or such decision appeal to the District Court having jurisdiction in the area concerned.

(2) The decision of the arbitrator under clause (*c*) or clause (*d*) of sub-section (1) of Section 26 and, when an appeal has been preferred under sub- section (1), the decision on such appeal shall be read as part of the scheme sanctioned under Section 12 and shall be final and binding on all persons.

CHAPTER VI.

FINANCE.

29. (1) The receipts of a municipal council under this Regulation or any town-planning scheme made thereunder shall form a separate town-planning fund and all expenditure under this Regulation or any town-planning scheme thereunder shall be defrayed out of such fund. No portion of the fund shall, except with the sanction of Our Government, be expended for purposes not provided for by this Regulation.

Municipal town-Planning fund.

(2) The moneys required, in the first instance, to establish such fund, and any deficiency from time to time occurring in such fund by reason of the excess of expenditure over receipts shall, subject to such rules as Our Government may frame in this behalf, be supplied out of the general municipal fund or out of moneys borrowed in pursuance of this Regulation.

(3) Separate accounts shall be maintained by each municipal council for its town-planning fund.

30. A municipal council taking action under this Regulation shall be deemed to have the same powers and be subject to the same laws and rules for the purpose of borrowing money as it has and is subject to for general municipal purposes, and the making and execution of a town-planning scheme shall be deemed a municipal purpose for which money may lawfully be borrowed.

Power to borrow.

31. Our Government may, subject to such terms and conditions as may be prescribed, give loans or grants to any municipal council towards its town-planning fund.

Government grants of loans to town-planning fund.

CHAPTER VII.

LAND ACQUISITION.

32. Immoveable property required for the purposes of town-planning scheme shall be deemed to be land needed for a purpose within the meaning of the Land Acquisition, Regulation, XI of 1089, and may be acquired under the said Regulation modified in the manner provided in this Chapter.

Modification of Land Acquisition Regulation.

33. Notwithstanding anything in the Land Acquisition Regulation, XI of 1089, a notification under Section 12 shall operate in respect of any land required for the purposes of the scheme as a declaration under Section 6 of the said Regulation and no further declaration shall be necessary, but it shall not be incumbent on our Government or officer authorised in that behalf, to take immediate steps for the acquisition of such land. Provided that if the land is not acquired within three years from the date of the notification, it shall cease to have effect as a declaration under Section 6 of the Land Acquisition Regulation, XI of 1089.

Notification under Section 12 to have effect as declaration under Section 6 of Land Acquisition Regulation.

34. (1) The provisions of Sections 14, 22 and 23 of the Land Acquisition Regulation, XI of 1089, shall have no application in the acquisition of property or the purposes of this Regulation.

Sections 14, 22 and 23 of Land Acquisition Regulation superseded.

(2) In determining the amount of compensation to be awarded for land acquired under the said Regulation for such purposes the Division Peishkar and the court shall take into consideration:

(*a*) the market value of the land at the date of publication of the notification under Sectioon 8 or Section 10 as the case may be;

(*b*) the damage sutained by the person interested by reason of the taking of any standing crops or trees which may be on the land at the time of the Division Peishkar's taking possession thereof;

(*c*) the damage (if any) sustained by the person interested, at the time of the Division Peishkar's taking possession of the land, by reason of severing such land from his other land or by reason of the acquisition injuriously affecting his other property moveable or immoveable in any other manner, or his earnings; provided that this clause shall not apply in the case of offensive industries, which must, under the provisions of the scheme, be removed;

(*d*) if, in consequence of the acquisition of the land, the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change; provided that this clause shall not apply in the case of offensive industries, which must, under the provisions of the scheme, be removed.

(3) But the Division Peishkar and the court shall not take into consideration:—

(*a*) the degree of urgency which has led to the acquisition or its compulsory character;

(*b*) any disinclination of the person interested to part with the land acquired;

(*c*) any damage sustained by him, which, if caused by a private person, would not render such person liable to a suit;

(*d*) any damage which is likely to be caused to the land acquird after the date of publication of the notification under Section 8 or Section 10 as the case may be, by or in consequence of the use to which it will be put;

(*e*) any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired;

(*f*) any outlay or improvements on the land acquired commenced, made or effected after the date of publication of the notifications referred to in clause (*d*), unless they are covered by a permission obtained under; Section 15;

(*g*) any outlay or improvements on, or disposal of, the land acquired which, having regard to the time at which they were made and other circumstances appear to have been commenced, made or effected with intent to obtain increased compensation;

(*h*) the special suitability or adaptability, if any, of the land for any purpose, if that purpose is one to which it could be applied only in pursuance of statutory powers or for which there is no market apart from the special needs of a particular purchaser or the requirements of a Government department or any local authority.

(4) If the market value of any land or building is specially high by reason of the use thereof in a manner which could be restrained by any court, or is contrary to law or public policy or is detrimental to the health of the inmates of the building or to the public health, the amount of the increased value due to such user shall be disregarded in determining the amount of compensation.

CHAPTER VIII.

MISCELLANEOUS.

Power of councils to make agreements.

35. A municipal council shall be competent to make an agreement with any person in respect of any matter which is to be provided for in a town-planning scheme, subject to the power of Our Government to modify or disallow such agreement, and, unless it is otherwise expressly provided therein, such agreement shall take effect on and after the day on which the scheme comes into force;

Provided that if the agreement be modified by our Government, either party shall have the option of avoiding it if he so elects within the prescribed period.

Town-planning Committee.

36. Subject to such rules as Our Government may make in this behalf, a municipal council may appoint a special town-planning committee composed either wholly of members of the municipal council, or partly of such members and partly of others; and may delegate to such committee power to dispose of, in relation to a particular scheme or to town-planing in general, matters of a specified nature which, under the provisions of this Regulation, are reserved for the decision of the council.

Provided that no person, other than a member of the council, shall be appointed to such committee unless such appointment is supported by not less than one-half of the sanctioned strength of the council;

Provided also that the number of persons who are appointed to any committee who are not members of the council shall not exceed one-third of the number of members of such committee.

Joint town-planning Committee.

37. (1) Subject to such rules as Our Government may make in this behalf, a municipal council may, and if so required by Our Government shall, join with one are more than one other local authority in constituting a joint town-planning committee for the making of a joint town-planning scheme or for any purpose connected with town-planning in which they are jointly interested or for which they are jointly responsible,

(2) A joint town-planning committee may include persons who are not members of the local authorities concerned but who possess in their opinion special qualifications or represent institutions or corporations interested in the work of the committee;

Provided that the number of such persons shall not exceed one-third of the total number of members of the joint committee.

(3) (i) Our Government may make rules to carry out the pure poses of sub-section (1).

(ii) In particular and without prejudice to the generality of the foregoing power Our Government may make rules to provide for —

(a) the total number of members of the joint committee.

(b) the number of such members who shall be members of the local authorities concerned and the number of such members who may be outsiders;

(c) the qualifications of persons who shall be members of the joint committee or the manner in which they shall be appointed or elected;

(d) the qualifications of the person who shall be the chairman of the joint committee or the manner in which he shall be elected or appointed;

(e) the term of office of members and chairman;

(f) the manner in which the committee shall be put in funds and shall account therefor; and

(g) the procedure of the committee.

(4) Rules made under sub-section (1) or (3) may be varied or revcked provided all the local authorities concerned assent to such varlation or revocation.

(5) If any difference of opinion arises between local authorities under any of the foregoing provisions of this section, it shall be referred to Our Governmeut whose decision shall be final.

(6) If Our Government take action under sub-section (1) they may issue such directions as they may think necessary or desirable in respect of all or any of the matters referred to in sub-section (3).

(7) When a joint town-planning committee has been constituted such committee shall exercise the powers and perform the duties of the municipal council, and its chairman the powers and duties of a chairman under this Regulation.

(8) Any joint town-planning scheme made by a joint committee may provide for the execution of the scheme or any part thereof jointly by all or two or more of the local authorities concerned or specify the parts of the scheme to be executed at the expense of the several local authorities in their respective areas and the said specified parts of the scheme shall after the publication of the notification under Section 12 have effect in the areas to which they relate as separate schemes.

Power of Government to arbitrate in disputes between local authorities.

38. Any dispute between any two local authorities in regard to any matters arising under any of the provisions of this Regulation shall, in case of their failure to settle it amicably between themselves be referred for adjudication to Our Government whose decision shall be final.

Powers of control of Government.

39. (1) If Our Government are satisfied, after giving the municipal council an opportunity of explanation, and considering any other representations that may be made to them, that a municipal council.

(*a*) has failed to take the requisite steps for having a satisfactory town-planning scheme prepared and sanctioned in a case where a town-planning scheme ought to be made, or.

(*b*) has failed to adopt any scheme propose by owners of any land in a case where the scheme ought to be adopted, or

(*c*) has unreasonably refused to consent to any modifications or conditions imposed by Our Government,

Our Government may, as the case may require, order the municipal council to prepare and submit for the approval of Our Government such a town-planning scheme or to adpot the scheme, or to consent to the modifications or conditions so inserted :

Provided that, where the municipal council has failed to adopot a scheme. Our Government, in lieu of making such an order as aforesaid may approve the proposed scheme, subject to such modifications or conditions, if any, as Our Government think fit, and thereupon the scheme shall have effect as if it had been adpotod by the municipal council and sanctioned by Our Government.

(2) If Our Government are satisfied, after giving the municipal council or the responsible authority as the case may be an opportunity of explanation, that a municipal council or a responsible authority has failed to enforce effectively the observance of a scheme which has been finally sanctioned, or any provisions thereof, or to execute any works which under the scheme or this Regulation the council or the responsible authority is requred to execute, Our Government may order she council or the responsible authority to do all things necessary for enforcing the observance of the scheme or any provisions thereof effectivey or for excecuting any works, which, under the scheme or this Regulation, the council or the responsible authority is required to execute.

(3) For the purposes of this Section Our Government shall have the same powers of calling for records, of causing inspection to be made, and of enforcing their orders or appointing persons to enforce them as they have under the enactment relating to municipalities for the time being in force.

Powers of entry, etc.

40. For the purpose of the making or execution of any town-planning scheme, the municipal authorities or the responisible authority or persons appointed by Our Government under Section 39 Sub-section (3), their subordinates and contractors shall have the same power to enter upon

survey and set up marks on property and to do all acts necessary for such purposes; subject to the same conditions and restrictions, as they have for other municipal purposes under the enactment relating to the municipalities for time being in force, and persons interfering with the exercise of such powers by the municipal authorities or the responsible authority or persons appointed by Our Government, their officers, servants or contractors, shall be liable to the same penalties.

Power of Government to make rules.

41. (1) Our Government may make rules consistent with this Regulation, either generally or for any particular area, to carry out all the purposes of this Regulation and such rules may be incorporated in any scheme by a reference thereto in the scheme, subject to any modifications that may be set out in the scheme.

(2) In particular and without prejudice to the generality of the foregoing power, Our Government shall have power to make rules in respect of the following matters:—

(*a*) the manner of publication of the notifications under Section 8 and of the draft scheme under Section 9;

(*b*) the further particulars or plans for inclusion in schemes under Section 3 clause (*r*) and Section 11, sub-section (1), clause (*h*);

(*c*) the scale of all plans made under this Regulation, the particular to be shown in them, the manner in which such particulars shall be shown, the colouring of such plans and all such matters :

(*d*) what streets or roads and improvements thereto provided in a town-planning scheme shall be made or carried out at the expense of the municipal council, the owners of the property or both ;

(*e*) the kinds of expenditure connected with town-planning which shall be met out of current revenues and those that shall be met out of loans or other capital receipts ;

(*f*) what receipts shall be credited to the town-planning fund referred to in Section 29 and what expenditure shall be debited to it ;

(*g*) the powers that may be delegated to the committees constituted under Section 36 ;

(*h*) the manner in which all documants and plans prepared under this Regulation shall be made accessible to the public ;

(*i*) the procedure to be adopted for securing co-operation on the part of the municipal authorities with the owners or persons interested in property proposed to be comprised in a town-planning scheme by such means as may be expedient, the summoning, presidency and procedure of such conferences and all such matters ;

(*j*) the procrdure to be observed by the municipal council and responsible authority, in cases where owners commit default, or delay the corrying out of works or improvements, and for recovering the cost from the owners liable therefor ;

(*k*) the securing of reasonable speed in the preparation or adoption of schemes by municipal council and the procedure to be followed for

enabling Our Government to act in the case of default or dilatoriness on the part of the municipal council or the responsible authority in making, adopting or executing scheme and to recover from such council the expenses, of such action;

(*l*) the calculation assessment and collection of the betterment contribution;

(*m*) the regulation of the proceedure before the arbitrator;

(*n*) the delegation of powers to, and the duties that shall be discharged by, the Director, and the matters on which and the manner in which he shall be consulted by municipal councils and responsible authorities;

(*o*) the accounts that each municipal council shall keep for its town-planning fund, and their audit;

(*p*) inquiries and reports as to the beginning and the progress and completion of works and other action under any scheme;

(*q*) sanitary principles and building regulations to be observed in drawing up schemes;

(*r*) the funds which shall be transferred by the municipal council to the responsible authority, the administration of such funds, the accounts to be kept in respect thereof and their audit;

(*s*) matters other than those referred to in the foregoing clauses which are expressly required or allowed by this Regulation to be prescribed.

(3) In making any rule, Our Government may provide that a breach thereof shall be punishable with fine which may extend to one hundred rupees.

Previous publication of the rules.

42. The power to make rules under Section 37, 41 and 53 shall be subject to the condition of previous publication.

Penalty for breach of the provisions of the scheme.

43. (1) Where a scheme sanctioned under this Regulation has provided that any person who commits or knowingly permits a breach of any specified provision of the scheme or who neglects or fails to comply with any such provision shall be punishable under this Section the responsible authority shall sent to any person who commits or knowingly permits a breach of any such provision of the scheme or neglects or fails to comply with any such provision, a notice calling on him to discontinue the breach or cause it to be discontinued or to comply with such provision of the scheme.

(2) If after the expiry of one month from the date of receipt of the notice by such person under sub-section (1) the breach or neglect or failure continues, such person shall, on conviction, be punishable.

(i) with fine which may extend to one hundred rupees, and

(ii) if the breach, neglect or failure continues after such conviction, with fine which may extend to fifteen rupees for every day during which the breach, neglect or failure continues after such conviction.

CHAPTER IX.

TOWN-PLANNING TRUSTS.

Creation of town-planning Trusts.

44. (1) When Our Government, after consulting the municipal council, decide that the interests of town-planning in any particular area will be best served by entrusting it to a special board, they may, by notification in Our Government Gazette, constitute such board, to be called "The (name of town or other area) Town-Planning Trest" hereinafter referred to as "the trust"; and thereupon the duty of carrying out the provisions of this Regulation in such local area shall, subject to the conditions and limitations hereinafter contained, be vested in the trust.

(2) The trust shall be a body corporate and have perpetual succession and a common shal and shall by the aforesid name sue and be sued.

Constitution of trusts.

45. (1) The trust shall consist of -

(*a*) a chairman appointed by Our Government;

(*b*) persons elected by the members of the municipal council or of other local authorities or both; and

(*c*) persons appointed by Our Government either by name or by virtue of their office.

(2) The trust may also include representatives of transport companies, chambers of commerce, co-operative societies and similar bodies or associations, either elected or nominated by them.

(3) Our Government shall fix the strength of the trust, the number of trustees to be elected under clause (*b*) of sub-section (1), the local authorities by whom they shall be elected, the number of trustees to be appointed by Our Government under clause (*c*) of sub-section (1) and the number of trustees to be elected or nominated under sub-section (2) and the bodies or associations by whom they shall be elected or nominated: Provided that the number of trustees appointed by Our Government shall not exceed one-third of the sanctioned strength.

(4) Each trustee shall hold office for five years.

Chairman may be given salary.

46. The chairman of the trust may receive such salary or remuneration as may be sanctioned by Our Government. No other trustee shall receive any salary or other remuneration from the funds of the trust.

Removal of trustees.

47. (1) Our Government may remove from the trust any trustee, other than an ex-officio trustee, who—

(*a*) refuses to act, or becomes incapable of acting, or absents himself for more than three consecutive months from the meetings of the trust or of any committee of which he is a member and is unable to explain such absence to the satisfaction of the trust, or

(*b*) is an undischarged insolvent or has compounded with his creditors, or

(*c*) has been sentenced by a criminal court to imprisonment for a term exceeding six months or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed remitted or or the offender pardoned, or

(*d*) has knowingly acquired or continued to hold, without the permission in writing of Our Government, directly or indirectly or by a partner, any share or interest in any contract or employment, with, by, or on behalf of, the trust, or

(*e*) has knowingly acted as a trustee in a matter other than a matter referred to in clause (iv) or clause (v) of the proviso to this sub-section in which he or a partner had directly or indirectly, a personal interest, or in which he was professionally interested on behalf of a client, principal or other person, or

(*f*) being a legal practitioner in any suit or other proceedings, acts or appears on behalf of any other person against the trust or acts or appears on behalf of any other person in any criminal proceeding instituted by or on behalf of the trust:

Provided that a person shall not be deemed for the purpose of sub-section (1) to acquire or continue to have, any share or interest in a contract or employment by reason only of his—

(i) having a share or interest in any lease, sale or purchase of land or buildings, or in any agreement for the same, provided that such share or interest was acquired before he became a trustee, or

(ii) having a share in a joint-stock company which shall contract with, or be employed by, or on behalf of, the trust, or

(iii) having a share or interest in a newspaper in which an advertisement relating to the affairs of the trust is inserted, or

(iv) holding a debenture or otherwise being interested in a loan raised by, or on behalf of, the trust, or

(v) being retained by the trust as a legal practitioner, or

(vi) having a share or interest in the occasional sale of an article, in which he regularly trades, to the trust to a value not exceeding, in any one year, such amount as the trust, with the sanction of Our Government, may fix in this behalf.

(2) Our Government may remove from the trust a trustee who in their opinion has so abused his position as a trustee as to render his continuance as a trustee detrimental to the public interest:

Provided that when Our Government propose to take action under the foregoing provisions of this Section an opportunity of explanation shall be given to the trustee concerned, and when such action is taken, the reasons therefor shall be placed on record.

48. (1) A trustee removed under clause (*a*) or clause (*c*) of sub-section (1) of Section 47, or under sub-section (2) of that Section shall not be eligible for further election or nomination for a period of three years from the date of his removal.

Disabilities of trustees removed.

(2) A trustee removed under clause (*b*) of sub-section (1) of Section 47 shall not be so eligible until he as obtained his discharge or has paid his creditors in full, as the case may be.

(3) A trustee removed under any other provision of Section 47 shall not be so eligible until he is declared to be no longer ineligib and he may be so declared by an order of Our Government.

49. (1) When a trust has been duly constituted, the provisions o Chapters I to VIII of this Regulation shall, within the area entrusted to it for town-planning purposes, apply in full as though the words "trust" and "chairman of the trust" were substituted for "municipal council" and "chairman of the council or chairman."

Application to trusts of this Regulation and their power to borrow.

(2) A trust constituted under this Chapter shall for the purpose of borrowing money have the same powers and be subject to the same laws and rules as a municipal council under Section 30.

50. The municipal council in whose area a trust operates shall pay annually to the trust such amount as may be agreed on between them or as may be fixed by Our Government.

Payment to trust by municipal councils.

51. (1) Whenever the municipal council is satisfied

Vesting in municipal council of streets laid out or altered and open spaces provided by the trust under a scheme.

(*a*) that any street laid out or altered by the trust has been duly levelled, paved, metalled, flagged, channelled, sewered, and drained in the manner provided in the scheme sanctioned by Our Government under this Regulation, and

(*b*) that such lamps, lamp-posts, and other apparatus as the municipal council may consider necessary for the lighting of such street and as ought to be provided by the trust have been so provided, and

(*c*) that water and other sanitary conveniences ordinarily provided in a municipality have been duly provided in such street,

the municipal council, after obtaining the assent of the trust or failing such assent, the assent of Our Government under sub-section (3) , shall, by a written notice affixed in some conspicuous position in such street, declare the street to be a public street; and the street shall thereupon vest in the municipal, Council and shall thenceforth be maintained, kept in repair, lighted, and cleansed by the municipal council.

(2) When any open space for purposes of ventilation or recreation has been provided by the trust in executing any scheme, it shall, on completion, be transferred to the municipal council by resolution of the trust and shall thereupon vest in, and be maintained at the expense of the municipal council:

Provided that the municipal council may require the trust, before any such open space is so transferred, to enclose, level, turf, drain and lay out such space and provide foot-paths therein, and, if necessary, to provide lamps and other apparatus for lighting it.

(3) If any difference of opinion arises between the trust and the municipal council in respect of any matter referred to in the foregoing provisions of this Section, the matter shall be referred to Our Government, whose decision shall be final.

Ultimate dissolution of trust and transfer of its assets and liabilities to municipal council.

52. (1) When the trust created for an area has executed all schemes sanctioned under this Regulation, or so far executed them as to render its continued existence, in the opinion of Our Government unnecessary, Our Government may by notification declare that the trust shall be dissolved from such date as may be specified in this behalf in such notification; and the trust shall be deemed to be dissolved accordingly.

(2) From the said date—

(*a*) all properties, funds and dues which are vested in or realisable by the trust and the chairman, respectively, shall vest in and be realisable by the municipal council and the chairman of the council, respectively; and

(*b*) all liabilities which are enforceable against the trust shall be enforceable only against the municipal council; and

(*c*) for the purpose of completing the execution of any scheme, sanctioned under this Regulation which has not been fully executed by the trust, and of realising properties, funds, and dues referred to in clause (*a*), the functions of the trust and the chairman under this Regulation shall be discharged by the municipal council and the chairman of the council, respectively.

Power of Government to make rules for trusts.

53. (1) Our Government shall have power to make rules not inconsistent with this Regulation and applicable to all trusts or to any trust—

(*a*) as to the election, nomination and appointment of trustees, and the commencement of their terms of office;

(*b*) as to the resignation by trustees of their offices, and the filling of casual vacancies;

(*c*) as to the meetings of the trust, the procedure to be followed in summoning, adjourning and conducting the proceedings of such meetings;

(*d*) as to the constitution of committees of trust and the functions that may be delegated to them;

(e) as to the officers and servants who may be employed by the trust, the authority by whom they may be appointed and punished ,the salaries of such officers and servant and the institution, where necessary, of a provident fund or gratuity system for their benefit;

(f) as to the accounts to be kept and the returns to be submitted by the trust;

(g) as to the manner in which the accounts of the trust shall be audited and published and as to the powers of auditors in respect of disallowance and surcharge;

(h) as to the making and execution of contracts on behalf of the trust;

(i) as to the mutual relations, financial and other, of a trust and local authorities; and

(j) generally for the guidance of trusts and public officers in all matters connected with the carrying out of the provisions of this Regulation.

(2) Every trust may from time to time, with the previous sanction of Our Government, make bye-laws consistent with this Regulation and with any rules made threunder for carrying out the purposes of this Regulation.

CHAPTER X.

Transfer of Proceedings.

Transfer of proceedings from one authority to another.

54. (1) Our Government may, by notification and from a date to be specified in such notification, transfer the proceedings commenced under this Regulation in respect of any land by any authority having jurisdiction to any other authority having jurisdiction over such land.

(2) Before issuing a notification under sub-section (1) Our Government shall communicate to the authorities affected the grounds on which they propose to make the transfer, fix a reasonable period for them to show cause against the proposal and consider their objections, if any.

(3) The authority to whom a transfer of proceedings is made under sub-section (1) may continue such proceedings from the stage which they had reached on the date specified in the notification.

(4) When making a transfer of proceedings under sub-section (1) Our Government may direct the authority to whom the transfer is made to reimburse the authority from whom the transfer is made the net expenditure which the last mentioned authority may, up to the date of such transfer, have incurred on such proceedings.

(5) From the date specified in the notification under sub-section (1) all rights and assets which, for the purposes of the prceedings transferred by such notification, are vested in, and all obligations and

liablities which for the same purposes are enforceable against the authority from whom the transfer is made, shall vest in or be enforceable against the authority to whom the transfer is made.

Statement of Objects and Reasons.

The objects of this Bill is to provide for the development of urban areas in accordence with a predetermined plan with a view, as is stated in the preamble to the Bill, "to secur to their present and future inhabitans sanitary contitions, amenity and convenience." The towns in this State are growing from day to day. But they are growing in a haphazard manner. This is not only injurious to the health, convenience and happiness of the present and future inhabitance of the town but would also result in direct and indirect loss to the public, direct loss in that enormous sums may have to be spent in the future for the improvement of the towns and indirect loss in that waste of time, energy and health may be caused on account of the malarrangement of the various parts, such as streets, residential areas, industrial areas, etc., going to make up towns. It is considered advisible therefore that in order that efficient cities may come into being the development of the urban areas should proceed in accordance with schemes previously thought out and designed. The Bill provides for such town-planning schemes being settled and drawn up, generally through the municipal councils, and for the grant of the requisite coercive power to enforce development in accordance with the schemes. The Trivandrum Municipal Council recently considered the question of town-planning for their city and have recommended the enactment of a law on the lines of the Madras Town-Planning Act. This Bill is accordingly drawn up, generally on the lines of the Madrass (Act VII of 1920 as amended by Act X of 1930). and is capable of being applied to all towns in Travancore.

2. Chapter I is the usual "preliminary"chapter and gives the interpretation of terms, etc. Chapter II explains what a town-planning scheme is and what it may be contain. Chapter III (Clauses 5 to 17) provides for the making, variation and revocation and town-planning schemes. As an expert adviser to the Government and the municipalities, a Director of town-planning is proposed to be appointed (Clause 5). No. scheme will become final until it has received the sanction of Governmet (Clause 12). The obligation on owners to comply with the provisions of a scheme is provided for by Clauses 16 and 17, a breach thereof being also punishable under Clause 43. It is obvious that when schemes are enforced some properties may be affected prejudicially and others may increase in value. Provision is made for compensating the former (Clause 18 to 21) and for the municipalities getitng a portion of the latter, by means of annual "betterment contributions" (Clauses 22 to 25). In order to decide disputes arising in the course of the enforcement of schemes, such as in fixing the amount of compensation or betterment contributions, arbitrators are proposed to be appointed (Chapter V. Clauses 26 to 28). The necessary financial powers and obligations of the municipal councils towards

the working of schemes are provided for in Chapter VI of the Bill; and provision is made in Chapter VII for the acquisition of lands required fcr the purposes of schemes. The formation of town-planning cormitees, the exercise of power by Government to compel the making and observance of schemes, the enforcement of the provisions of schemes and certain other miscellaneous matters are provided for in Chapter VIII. Although municipal councils have generally to undertake the duty and responsiblity for the making and carrying out of schemes, it may sometimes become necessary to eonstitute special Town-Planting Trusts as regards schemes in any area, with powers and functions similar to those exercisable by municipal councils for similar purposes. Provision is made for this in Chapter IX. Provision is made also for the transfer of any proceedings under the proposed Regulation from one arthority to any other authority competent to take charge of the same (Chapter X).

— ——

Supplement C.

REPORT OF THE SELECT COMMITTEE
ON THE TRAVANCORE TOWN-PLANNING BILL,

To

THE PRESIDENT

Travancore Legislative Council.

Sir,

We the undersigned members of the Select Committee appointed to consider the Travancore Town-Planning Bill, have considered the Bill and beg to make the following report :—

CLAUSE 4 (2).

1. In Sub-Clause (*c*), after the word" plot" insert the words" with his consent": and
2. In Sub-Clause (*d*). add at the end the words " with the consent of the latter."

We are of opinion that no person should be allotted a plot, or be made the owner of a plot without his consent. Hence we propose this amendment.

CLAUSE 11 (2).

3. In Sub-Clause (ii), for the word " quantity", substitute the word" extent" ; and before the word" acquired", where it occurs for the second time add the words " to be."

This is only a drafting amendment.

CLAUSE 12

4. *Sub-Clause* (*3*) : In the second Proviso, for the word" three" sbstitute the word " six."

We are of opinion that the period of three months is too short. Hence the amendment.

5. *Sub-Clause* (*5*): After the word "Gazette" insert the words "and in such other manner as may be prescribed."

The Committee is of opinion that a Gazette notification is not, by itself, sufficient and some other form of notification, say, by beat of tom-tom, as may be determined by rules, should also be published. Hence the amendment.

CLAUSE 13.

6. *Sub-Clause* (*1*) : For the words" varied or revoked" substitute the words " revoked or varied ."
7. *Sub-Clause* (*2*): In clause (*b*), after the word " notice" In line 2, interest the words "mentioning the reasons for the proposed variation or revocation and ."
8. For the words" affected by" in line 4, substitute the words "interested in"

The amendments are self-explanatory.

CLAUSE 15 (1).

9. For the word" *a* " occurring before the expression "responsible authority", substitute the word" the ."

CLAUSE 17 (1).

10. In Sub- Clause (*a*), after the word "alter", insert the words, within a specified period."

CLAUSE 28 (1)

11. For the words " District Court having jurisdiction in the area concerned", substitute the words " High Court."

CLAUSE 32

12. Insert the word " *a* " before the word" town-planning".

CLAUSE 41 (2).

13. In Sub-Clause (*b*), substitute the letter" (*q*)" for "(*r*)" and the letter " (*g*)" for "(*h*)". This is intended only to make the reference correct.

CLAUSE 42.

14. For the words and figures " Section 37,41 and 53" substitute the words "this Regulation;"

15. The Bill has not undergone substantial alteration and does no' require republication.

We append hereto a copy of the Bill as revised by us.

J. S. WESTERDALE,
April 6th, 1932,
K. PARAMESWARAN PILLAI,
April 6th, 1932.
E. V. KRISHNA PILLAI.
April 6th, 1932.
K. P. KOCHUKORA THARAKAN,
April 6th, 1932.
Subject to the dissenting note. A. THANU PILLLI,
April 6th, 1932
Do. P. S. MAHOMED,
K. KRISHNAN NAYAR,
April 6th, 1932.
K. I. KOCHEEPAN MAPILLAI.
R. S. SUBRAHMANYA PILLAI,
April 6th. 1932.

DISSENTING NOTE.

We suggest the following amendment to clause 44:—

Substitute "Our Government may, with the consent of the Municipal Council, decide that the interests of town-planning in any particular area will be best-served by entrusting it to a special board and may" for the words "When our Government ....they may

We are of opinion that a town-planning trust should not be created without the consent of the Municipal Council especially in view of the fact that the consequences of the working of the trust including liabilities incurred by them are to be taken by the Municipality.

A. THANU PILLAI,
P. S. MAHOMED.

Supplement D.

REPORT, AFTER RECOMMITTAL, OF THE SELECT COMMITTEE ON THE JENMI AND KUDIYAN REGULATION AMENDMENT BILL.

To

THE PRESIDENT,

Travancore Legislative Council.

SIR,

We, the undersigned, members of the Select Committee to which the Jenmi and Kudiyan (Amendment) Bill was recommitted for further consideration beg to report as follows:

II. The reference made to the Committee by the Council is the following :—

"Whether in respect of Kanapattom lands, an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes and out of that pattom. whatever is left after deducting the Sirkar tax, be taken to be the Jenmis' due in lieu of all and every one of their claims, and if any such arrangement can reasonably be made, to draft and submit the necessary legislative provis ions for the same."

III. The pattom fixed for Land Revenue purposes is the Settlement pattom which may be seen from the Settlement Registers of the last general Revenue Settlement. The amount arrived at by deducting the Sirkar tax from the settlement pattom may be designated the "Settlement pattamicham" and it is by this name that we refer to it hereinafter. The annual michavaram payable to the jenmi *plus* the fractional fee (*i. e.* the annual payment proposed by the Bill to be made in substitution of the renewal fees payable periodically) *plus* the commuted cess (*i. e.* the commuted money value payable yearly in substitution of the customary dues) may for convenience sake be designated the "jenmivaram," and what is fixed by law for actual yearly payment to the jenmi may be designated the "jenmikaram." When the "jenmivaram" referred to is also the annual payment fixed by law to be made to the jenmi, that would be the jenmikaram also. (Under the Bill, both the original Bill and the Bill as revised by the previous Select Committee, the jenmivaram and the jenmikaram would be the same.) The meaning of the terms, Settlement pattamicham, jenmivaram and jenmikaram being understood as above indicated, the reference made to the Select Committee is in brief whether the Settlement pattamicham can be fixed as the jenmikaram, or some such arrangement made, in lieu of all and every one of the jenmi's dues.

IV. The Committee felt that, in order to come to any satisfactory opinion on the point it was necessary to get some evidence of the

variation, if any, as also of the extent of the variation, between the jenmivaram and the Settlement pattamicham. The members of the Committee therefore decided to examine as many kanom documents relating to kanapattom lands in different parts of the State as could conveniently be done and ascertain the jenmivaram and compare it with the Settlement pattamicham. For this purpose, the members of the Committee divided themselves into three parties, to tour round each of the three Revenue Divisions of Trivandrum, Quilon and Kottayam. Each party camped at convenient centres and met the jenmis and kudiyans who appeared before them and examined the documents produced and compared the jenmivaram with the Settlement pattamicham. Statements made to the Committee by the three parties as to the result of their investigations are appended hereto, the statement of the Trivandrum party as Appendix A, that of the Quilon party as Appendix B and that of the Kottayam party as Appendix C.

V. In all, 1273 Kanom documents were examined and the jenmivaram ascertained and the Settlement pattamicham as also certain other particulars in respect of the lands comprised in the documents noted. It has been found that the jenmivaram and the Settlement pattamicham vary in every case. Taking it that a variation, either way, to the extent of ten per cent. of the jenmivaram or less is only an insignificant or negligible variation, and that larger variations are substantial variations, it has been found that only in a comparatively small number of cases, the variation is negligible and that in other cases(*i. e.*, in the bulk of the cases examined) the variation has been substantial. As may be seen from Appendix B, only 12½ per cent. of the documents examined in the Quilon Division exhibited negligible variations, and as may be seen from Appendix C, only 21 per cent. of the documents examined in the Kottayam Division exhibited negligible variations. Thus, if the Settlement pattamicham is fixed as the jenmikaram, it would be seen that in most cases, either the kudiyans would have to pay much more than what they have to pay now or the jenmis would get only much less than what they get now. In some cases the kudiyan would have to pay more than double and in some cases the jenmi would get only less than half, and in some even *nil*. In the majority of the cases of substantial variations, as indeed in the majority of all the cases of variations, the Settlement pattamicham has been found to be larger than the jenmivaram. It would appear therefore that though the fixing of the jenmikaram at the amount of Settlement pattamicham may be an easy solution in theory, such an arrangement would cause hardship to a very large number of individuals, in fact to the bulk of the individuals of the community of jenmis and kudiyans and that, as between the jenmis and kudiyans, the kudiyans would suffer more. The Committee, therefore, have come to the conclusion that it is not right to fix the Settlement pattamicham as the jenmikaram uniformly in all cases; and they feel that it is not advisable to make any large departures from the amount of the jenmivaram or the jenmikaram under the Amendment Bill. After

anxious consideration, they have arrived at the following formula as a rule of workable arrangement, namely:—

(*a*) That wherever the amount of the difference between the jenmivaram and the Settlement pattamicham is not larger than ten per cent. of the jenmivaram the Settlement pattamicham be fixed as the jenmikaram.

(*b*) That when the amount of the Settlement pattamicham is larger than the amount of the jenmivaram by more than ten per cent. of the latter, the jenmivaram *plus* ten per cent. thereof be fixed as the jenmikaram; and

(*c*) That when the amount of the Settlement pattamicham is less than the amount of the jenmivaram by more than ten per cent. of the latter, the jenmivaram *minus* ten per cent. thereof be fixed as the jenmikaram.

(*d*) That the jenmikaram so fixed should of course be, in every case, in lieu of all and every one of the rights of the jenmi in respect of the land; and

(*e*) That the jenmikaram so fixed should not be liable to any variation until a general Revenue Settlement by Government after which, however, the jenmikaram may be enhanced or reduced in proportion as the Settlement pattamicham becomes larger or smaller by the fresh Revenue Settlement.

It will be noticed that the characteristic feature of this formula is that in no case will the amount of the jenmikaram arrived at be larger or smaller than the amount of the jenmivaram, or the jenmikaram under the Amendment Bill, by more than ten per cent. and that, as in the majority of cases the Settlement pattamicham is larger in amount than the jenmivaram, or the jenmikaram under the Amendment Bill, the jenmis' dues will straightway be enhanced in the majority of cases.

VI. In regard to the immediate acceptance and carrying out of the formula there has been a difference of opinion. The minority (the jenmi members) are of opinion that this formula can be accepted and carried out only if the Government would undertake to collect the jenmikaram just like, and along with, the Sirkar tax and pay it to the jenmi without any application being made by the jenmi for the purpose in each and every case as is provided for in the Bill before the Council. What they want is that the Government should undertake full responsibility for collecting the jenmikaram and paying it over to the jenmi. In fact their position is that the formula itself can be deemed reasonable only if the Government would undertake the responsibility as indicated above. The majority of the Committee are agreeable to the demand of the jenmi members being accepted, and the Committee hereby make a recommendation to Government to accept the request of the jenmi members and they entertain the hope that it will be acceptable to Government. But the majority cannot make it a condition precedent of the formula arrived at being accepted or carried out. For one thing, to tack on a condition relating to the *collection* of the jenmikaram to the formula relating to the fixing of

the jenmikaram is, the majority feel, beyond the scope of the reference to the Committee. They feel also that it is primarily for the Government to say whether they could and would accept the responsibility involved in the collection of the jenmikaram as desired by the jenmi members. The majority are therefore of opinion that the formula referred to above may be accepted, and implemented at once, and that, as required by the reference made to the committee, the necessary legislative provisions may be drafted and submitted to the Council.

VII. The Committee feel that it is expedient to draft the legislative provisions as amendments to the Bill as introduced in the Council. In the formula as well as in the legislative provisions, what the amount of the jenmivaram should be is a material factor. The Committee have accepted the provisions of the Government Bill, and not of the Bill as revised by the previous Select Committee, for arriving at the amount of the jenmivaram. The former would yield a slightly larger amount than the latter. Messrs. A. S. Damodaran Asan, E. V. Krishna Pillai, K. P. Abraham and Thariathu Kunjuthomman desire it to be expressly recorded in this Report that they accept the provisions of the Government Bill not because they are more just than those of the Bill as revised by the previous Select Committee but because they are prepared to yield a point to the jenmis when a jenmikaram is going to be fixed, in lieu of all and every one of the rights of the jenmis in such a manner as would minimise the possibility of controversy and litigation.

VIII. The legislative provisions which the Committee propose are the following :—

CLAUSE II.

1. After Clause II, *insert* the following clause, namely:—

"IIA. For Section 2 of the said Regulation, the following shall be substituted, namely.

2. No custom or customary right as between the jenmi and the kudiyan shall prevail unless provided for in this Regulation expressly or by necessary implication."

Under the proposed scheme of things, the jenmi is to get the jenmikaram in lieu of all and every one of his rights. It should follow, therefore, that no right other than that is expressly provided for by this Regulation could enure in favour of the jenmi or the kudiyan. Hence this amendment.

CLAUSE III.

3. In Clause III, after sub-clause (*a*), the following sub-clauses shall be inserted, namely.

"(*a*) (1) In Section 3 (1) of the said Regulation, number the existing Explanation as Explanation 1, and add the following as Explanation 2, namely :

"*Explanation* 2.—For the purposes of this definition the payment of jenmikaram shall be deemed to be the payment of michavaram or

customary dues and the payment of renewal fees".

"(*a*) (2). In Section 3 (2) of the said Regulation, for the word "proprietory" the word "jenmom" shall be substituted, and for the word "lands" where it occurs a second time, the word "right" shall be substituted."

Under the proposed scheme of things, there will be no payment of michavaram or customary dues or renewal fees as such, but there will be only the payment of jenmikaram. In order that the definition of jenmom land may be operative even when jenmikaram alone is paid, the Explanation referred to is proposed to be added.

Again, in the new scheme of things, the ownership of the land practically vests in the kudiyan and what the jenmi has is only the right to jenmikaram, which we propose to call the jenmom right. To bring about this idea in the definition of the word "jenmi", the amendment in Clause (*a*) (2) is proposed.

4. For Clause III Sub-clause (*c*), the following shall be substituted namely:

"In Section 3 (10) of the said Regulation the word 'annual' shall be inserted before the word 'residual' and the word 'annually' occurring after the word 'deliverable' shall be omitted."

This change is merely verbal and is intended to make the meaning clear.

5. In the proposed Section 3 (11), Sub-clause (*d*) for all the words occurring after the words "fractional fee" where they occur for the first time, the following shall be substituted, namely,

"and, 'fractional fee' means the fee fixed as claimable (in substitution of renewal fees) in annual instalments at the rate of seven per cent. of the aggregate value or amount of the renewal fees due on the expiry of twelve years, or in annual instalments proportionately lower in percentage when renewal on the expiry of any longer period is provided for by the kanapattom".

6. In Clause III, substitute the following for sub-Clause (*f*); (*f*) "In Section 3 of the said Regulation the following shall be substituted for Clause (14), namely:—

"(14). Jenmivaram in respect of a jenmom land or holding means the total of the amounts of the annual michavaram the fractional fee and the commuted cess in respect thereof."

And after Clause (14) so substituted, the following clauses shall be added in section 3 of the said Regulation namely:—

"(15) Settlement pattom in respect of a jenmom land means the pattom fixed by Our Government for the Land Revenue purposes at a general Revenue Settlement and includes also the proportionate pattom chargeable on each portion of a land wherever the land is divided for any reason."

"(16). Settlement pattamicham in respect of a jenmom land means its Settlement pattam *minus* the tax due thereon to Our Government."

Explanation.—Wherever the Settlement pattom is fixed in kind 'tax' means the tax in kind fixed with reference to the Settlement pattom although the tax may be payable to Our Government in money.

"(17). Jennikaram in respect of a jenmom land or holding means the amount payable in respect of that land or holding under the provisions, of this Regulation by the kudiyan to the jenmi every year in lieu of all and every one of the jenmi's claims in respect of the land or holding, such jenmikaram being fixed as follows—

(*a*) When the Settlement pattamicham with reference to the last general Revenue Settlement and the jenmivaram in respect of any jenmom land or holding or the same in amount or (if they differ) when the amount of the difference between the two is not larger than ten per cent. of the jenmivaram, the Settlement pattamicham shall be the jenmikaram.

(*b*) When the amount of the Settlement pattamicham with reference to the last general Revenue Settlement is larger than the amount of the jenmivaram by more than ten per cent. of the latter, the jenmivaram *plus* ten per cent. thereof shall be the jenmikaram.

(*c*) When the amount of the Settlement pattamicham with reference to the last general Revenue Settlement is less than the amount of the jenmivaram by more than ten per cent. of the latter, the jenmivaram *minus* ten per cent. thereof shall be the jenmikaram."

Explanation 1.—Payment of or the liability to pay the jenmikaram is equivalent to paying, or the liability to pay the michavaram, renewal fees and customary dues."

Explanation 2.—When any jenmom land or holding is divided for any reason, the jenmivaram and the jenmikaram chargeable proportionately on each part shall respectively be the jenmivaram and the jenmikaram due on that part."

"(18). 'Prescribed' means prescribed from time to time to Our Government by Notification in Our Government Gazette."

"(19). 'The Amendment Regulation' means the Travancore Jenmi and Kudiyan (Amendment) Regulation, 110. "

A definition of the word "improvement" in the manner in which it appears in the existing Regulation does not appear to be necessary, and we propose that it may be omitted. The new definitions, those of 'jenmivaram', 'Settlement pattam', 'Settlement pattamicham' and Jenmikaram, are inserted with view to give effect to the formula proposed by the Committee. A definition of the expressions "net produce" "average annual net produce","margin of profit" and "timber trees" does not appear to be necessary in the proposed scheme of things. Those definitions are therefore omitted.

NEW CLAUSE—CLAUSE III A.

7. After Clause III of the Bill, insert the following Clause, namely "III A. In Section 4 of the said Regulation, the word 'his' occurring before the words 'jenmom lands' shall be omitted." This change is only verbal.

CLAUSE IV.

8. For the proposed Sections 5 to 8, the following shall be substituted :—

"5. From and after the commencement of the Amendment Regulation, the jenmi shall not have any right, claim or interest in any land, in a holding except the right to receive the jenmikaram thereon, and the kudiyan shall be deemed to be the owner of the land subject only to the payment of the jenmikaram.

Explanation 1.—The jenmi's right as well as the kudiyan's right is heritable as well as transferable by sale, gift or otherwise.

Explanation 2.—Notwithstanding any usage or contract to the contrary, no kudiyan has the right to relinquish or apply for permission to relinquish his holding or any portion thereof and no jenmi has the right to evict or sue for the eviction of a kudiyan from his holding or any portion thereof ;

Provided that this prohibition shall not affect any order made or decree passed on an application presented or in a suit instituted under the provisions of Regulation V of 1071 prior to 1st April 1930/19th Meenam 1105, even though the order or decree be made or passed after the commencement of the Amendment Regulation.

Explanation 3.—Notwithstanding any usage or contract, to the contrary, every kudiyan has the right to make any use of the land in his holding, to change its character either by converting wet land into garden land or by converting garden land into cultivable wet land, or in any other manner, to cut down and appropriate any trees standing thereon, to alter the course of cultivation in respect thereof, and, in short, to do or suffer anything to be done on the land without reference to, or interference from, the jenmi.

Explanation 4.—Notwithstanding any usage or contract to the contrary, every kudiyan has the right to make any improvement in respect of his holding without reference to, or interference from, the jenmi, and no kudiyan shall thereby become liable to pay any higher jenmikaram on account of any increase of production or any change in the nature of the crop raised in consequence of such improvement.

Explanation 5.—The jenmi's right to the jenmikaram shall be deemed to be immovable property.

6 (1). If in a holding there are more parcels of land than one, each having Settlement Pattom assessed separately, the jenmikaram of the entire holding shall be ascertained in accordance with the provisions of this Regulation and distributed in respect of each parcel of landin the proportion of the Settlement pattamicham bearing on such parcel of land.

(2) The jenmikaram so distributed in respect of each parcel of land shall be the jenmikaram due thereon.

7. If any jenmom land is divided for any reason, the jenmikaram on each portion of the land shall be fixed in the proportion of the Sirkar tax that will be fixed on such portion of land; and the jenmikaram so fixed shall be the jenmikaram due thereon.

8. Notwithstanding any usage or contract to the contrary, it shall not be lawful hereafter to take into account in any case as renewal fees any amount exceeding twenty-five per cent. of the kanom."

The proposed Section 5 carries out the decision of the Committee. When the jenmi has only the right to receive the jenmikaram and no other right in respect of the land, it must *ipso facto* follow that the kudiyan becomes the virtual owner of the land subject only to the payment of the jenmikaram. And when he becomes the owner, he has the right to cultivate the land in any manner he chooses or to improve it or to make any use of the land, and the kudiyan has no right to surrender the land and the jenmi no right to evict the kudiyan. The Sections 6, 7 and 8 proposed by Clause IV of the Bill have now been drafted as Explanations, as we are of opinion that when the kudiyan's right as an owner is declared, these provisions would come more appropriately as Explanations rather than as direct enactments conferring a right or imposing an obligation.

The proposed Sections 6 and 7 lay down rules for the apportionment of the jenmikaram having regard to the Settlement pattamicham or the Sirkar tax charged or chargeable on a land. The proposed Section 8 is only the proposed Section 17 (2) of the Bill transferred to this place and adapted to the scheme of things now proposed.

9. In the proposed Section 9, the words "and the penalty" shall be omitted.

These words were omitted by the last Select Committee; in accordance with it the omission is made now also.

10. For the proposed Section 10, the following shall be substituted, namely:—

"10. No kudiyan shall, when, without his consent, the jenmi's right in any jenmom land is transferred by sale, gift or otherwise, be liable to the transferee for the jenmikaram which became due after the transfer and was paid to the jenmi whose right was so transferred unless the transferor or transferee has, before the payment, given notice of the transfer to the kudiyan by registered Anchal or Post."

This section is only Section 10 of the Bill as revised by the last Select Committee re-drafted to suit the proposed scheme of things.

11. For the proposed Section 11, the following shall be substituted namely:-

"11. When a jenmom land or holding is divided or is transferred by sale, gift or otherwise, by the kudiyan without the consent of the jenmi, the kudiyan shall continue liable for the jenmikaram accruing due after such division or transfer unless and until notice by registered

Anchal or Post of the division or transfer is given to the jenmi by any sharer or by the transferor or transferee, as the case may be, and until pokkuvaravu is effected in the land revenue records in accordance with the division or transfer.

Explanation :—This provision does not affect any liability of any sharer or transferee as between such person and other sharers or the transferor, as the case may be, to pay the jenmikaram."

This is only Section 11 of the Bill re-drafted.

12. For the proposed Section 12, the following shall be substituted, namely :

"12. No division of the jenmi's right in any jenmom land shall be binding on the kudiyan thereof, unless it is made with the consent of the kudiyan or notice thereof is given to the kudiyan by registered Anchal or Post informing him of the prescribed particulars of the division; and the jenmikaram which may become due subsequent to such division made without such consent or notice may be paid to the jenmi entitled there to before such division."

This is only Section 12 (2) of the Bill, as revised by the Committee re-drafted for the present purposes. Section 12 (1) has been incorporated in the Section 11 proposed by us.

13. In the proposed Section 13, omit all the words occurring after the word "kanapattom."

As the jenmikaram is proposed to be paid in lieu of all the rights of the jenmi, there is no real scope for any renewal hereafter.

14. For the proposed Section 14, the following shall be substituted, namely:—

"14. (1) Notwithstanding any usage or contract to the contrary, the jenmikaram of any land shall not be liable to alteration or revision at any time except after any future general Land Revenue Settlement by Our Government.

(2) Whenever Our Government make any general Land Revenue Settlement in the future and the Settlement pattamicham at that Settlement is found to differ from the amount of the Settlement pattamicham with reference to which any jenmikaram has been fixed, that jenmikaram shall be enhanced or reduced in proportion as the Settlement pattamicham at the later Settlement is larger or smaller than the Settlement pattamicham at the previous Settlement.

(3) Except under the provisions of this section, the jenmi shall not be entitled to claim any enhanced jenmikaram and the kudiyan shall not be entitled to reduce the jenmikaram.

(4) The enhanced jenmikaram or the reduced jenmikaram due on a land, as the case may be, shall be payable from the 1st day of Chingom in the year next following that in which the Revenue Settlement comes into operation is respect of that land, and with effect from that day the enhanced jenmikaram or the reduced jenmikaram, as the case may be, shall be the jenmikaram due thereon."

According to the proposed scheme of things, the jenmikaram is expected to be permanent and, in any event not liable to alteration by the mere act of the parties. When a further Revenue Settlement takes place and the Settlement pattom is increased or reduced, it is fair to presume that the productivity or yield of the land has also correspondingly increased or reduced. On that basis, the jenmi would be entitled to enhance the jenmikaram and the kudiyan to reduce the jenmikaram, as the case may be, in like manner as the Settlement pattom has increased or gone down. It is, therefore, provided that any alteration of jenmikaram can take place only after a general Revenue Settlement and having regard to the result of that genenal Revenue Settlement.

CLAUSE V.

15. For the proposed heading of Chapter III. Part A of the Regulation, the following shall be substituted, namely:—

"Part A. Jenmikaram and its recovery".

CLAUSE VI.

16. For the proposed Section 15, Sub-Section (1), the following shall be substituted, namely:—

"(1) Every contract of Kanapattom made or renewed after the commencement of the Amendment Regulation shall, in addition to other particulars, specify—

(*a*) the name, if any, the description and the extent of the holding, and

(*b*) the Settlement pattom, the Settlement pattamicham, the jenmivaram and the jenmikaram in respect of the land or each of the several parcels of land comprised in the holding."

NEW CLAUSE VI A.

17. After Clause VI of the Bill, the following clause shall be added namely :—

"VI. A. In Section 15, Sub-Section (2), clause (*a*) of the said Regulation, for the words 'michavaram or other dues' the words 'jenmikaram or any portion thereof' shall be substituted."

CLAUSE VII.

18. For the proposed Section 16, the following shall be substituted, namely :—

"16. No summary suit or claim for enforcing payment of any jenmikaram shall be entertained by the Courts under this Regulation unless either the jenmikaram or the renewal fees and customary dues, with reference to which the jenmikaram has to be ascertained, are specified in the kanapattom or its counterpart duly registered or in a decree of a Civil Court obtained in a regular suit between the jenmi and kudiyan".

19. For the proposed Section 17, the following shall be substituted namely :—

"17 (1). Subject to the provisions of this Regulation every jenmi shall be entitled to receive and every kudiyan shall be bound to pay in respect of all land in the latter's holding the jenmikaram due thereon

and notwithstanding any contract or usage to the contrary the jenmi shall not be entitled to receive and the kudiyan shall not be bound to pay anything else in respect of the land.

(2) The jenmikaram shall be payable in such instalments and on such dates as Our Government may, by rules made under this Regulation, prescribe, or in the absence of such rules, at or before the close of each Malabar year.

(3) The jenmikaram or any instalment of jenmikaram payable on any date, if it is not paid on or before that date, shall become an arrear on the first day after that date.

(4) An arrear shall bear simple interest at the rate of nine per cent. per annum when it is payable in money or in paddy.

(5) When according to the terms of any contract of kanapattam, renewal fees are payable on the expiry of a specified period and part only of such period has expired before the commencement of the Amendment Regulation an amount which bears to the aggregate amount or value of such renewal fees the same proportion as the expired part of the period bears to the whole period specified in the contract, shall be payable by the kudiyan to the jenmi without interest within three years from the commencement of the Amendment Regulation or with interest at six per cent. per annum thereafter within a further period of three years."

This amendment is proposed to suit the proposed arrangement of paying the jenmikaram to the jenmi in lieu of all his rights. The dates for payment and the interest for arrears have been fixed as in the Bill revised by the previous Select Committee.

CLAUSE IX.

20. For Clause IX, the following shall be substituted, namely:—

"IX. Sections 20 to 26 of the said Regulation shall be omitted.

As there is no enhancement or reduction of michavaram or of jenmikaram hereafter, except in the manner already provided these Sections are omitted.

CLAUSE X.

21. Clause X shall be deleted and the remaining clauses re-numbered.

For the very same reason as that mentioned above under Clause IX, this clause is omitted.

CLAUSE XII (Re-numbered XI).

22. For the number "26 C" of the proposed Section 26 C, substitute "26 A".

CLAUSE XIII (Re-numbered XII).

23. In the proposed Section 27, Clause (*a*), omit the word "any instalment of".

24. In the proposed Section 27, Clause (*c*), omit the numbering '6' and also the words "and the penalty, if any".

CLAUSE XIV—(Re-numbered XIII).

25. In the proposed Clause (*d*) of Section 28, for the word" full ", the word " entire" shall be substituted; and the word " due " in line 1, and the words, "the penalty, if any" shall be omitted.

CLAUSE XV—(Re-numbered XIV).

20. Add the following as Clauses (*c*) and (*d*) to Clause XV of the Bill, namely:—

" (*c*) omit the words ' or other dues' occurring before the word 'Specified ' in Section 29 of the said Regulation;

(*d*) for the words ' or dues ' occurring before the words 'being commuted' in the said section 22, the words ' and the interest, if any, due thereon ' shall be substituted."

These changes are those adopted by the previous Select Committee.

NEW CLAUSE —CLAUSE XXI.

27. Insert the following after Clause XXI of the Bill (XX as re-numbered), as Clause XXI, namely:—

"XXI. In Section 44 of the said Regulation, for the words 'the provisions of this Regulation shall not apply to' the words 'no jenmikaram shall be recoverable by any jenmi from' shall be substituted."

As the jenmikaram is the only right of the jenmi hereafter, Section 44 is proposed to be altered as above.

CLAUSE XXII.

28. For the proposed Section 45, the following shall be substituted, namely:

"45. When the jenmi and kudiyan cannot agree as to the apportionment as between them of the compensation money awarded or awardable on the acquisition, under the Land Acquisition Regulation, of any land or portion of land comprised in any holding, the portion due to each shall be determined in accordance with the following rules:

(*a*) So much of the compensation money as due to any buildings shall belong entirely to the kudiyan;

(*b*) the balance left after deducting the portion of compensation money referred to in rule (*a*) shall belong to the jenmi and the kudiyan in the proportion of the jennikaram charged or chargeable on the land or portion of land and the average annual net produce of the land or portion of land, as the case may be:

Provided that if the capitalised value of the jenmikaram is smaller than such share of the jenmi the capitalised value alone shall belong to the jenmies and all the rest shall belong to the kudiyan.

Explanation:—

1. The capitalised value of any jenmikaram means an amount equal to twenty-five times the amount of the jenmikaram.

2. 'Net produce' means the surplus remaining after deducting from the gross produce of any land a portion equivalent in value to the cost

of cultivation and the Sirkar tax and cesses, if any, and the jenmikaram chargeable on such land and includes the value of such surplus.

3. 'Average annual net produce' means the net produce ascertained as derivable on an average for one year, by calculation of the net produce for each year during a period of not less than ten years immediately preceding the date of such ascertainment.

4. When a portion alone of a land is acquired, the portion of jenmikaram chargeable on that land shall be ascertained as if the land had been divided, and the jenmikaram of the portion of land acquired shall cease to be payable to the jenmi,"

This change is made to suit the proposed scheme of things Messrs. A. S. Damodaran Asan, E. V. Krishna Pillai, K. P. Abraham and Tariatu Kunjttomman, desire to be recorded that they agree to the jenmikaram being capitalised at twenty-five times the amount of the jenmikaram rather than at twenty times as in the Bill revised by the previous Select Committee, because the jenmikaram under the proposed scheme of things is not liable to variation by the mere act of parties.

29. The proposed Section 46 shall be omitted.

The Committee do not think that, in the proposed scheme of things, there is necessity for the provisions contained in the proposed Section 46.

30. The proposed Sections 47 (1) and 48 shall be re-numbered as 46 and 47, respectively.

31. In the proposed Section 47 (1) *i. e.*, the proposed Section 46, as re-numbered, insert the following words between the word "prescribed" and the word "fix" namely:—

"in accordance with the rules to be passed by Our Government after previous publication."

32. The proposed Sections 47 (2) and (3) in the Bill, shall be omitted.

The changes in regard to the proposed Section 47 in the Bill are those adopted by the previous Select Committee.

IX. A copy of the Bill as revised by us, that is to say, having the aforesaid provisions incorporated therein is appended hereto.

K. PARAMESWARAN PILLAI, (Sd.)
(Subject to a separate note.)
E. V. KRISHNA PILLAI, (Sd.)
K. P. ABRAHAM, (Sd.)
ഭിന്നാഭിപ്രായമുണ്ട്.
വി. എൻ. ജാതവേദൻനമ്പൂരിപ്പാട് (ഒപ്പ്).
എനിക്ക് ഇതിൽനിന്നും ഭിന്നാഭിപ്രായമുണ്ട്.
സി. എൻ. ഉപ്പൻനമ്പൂരി (ഒപ്പ്)
N. R. NNMBURIPIAD, (Sd.)
[Sudject to a dissenting minute.]
A. S. DAMODARAN ASAN, (Sd.)
ഇലഞ്ഞിക്കൽ തരിയത്തുകുഞ്ഞിത്തൊമ്മൻ (ഒപ്പ്)

ജന്മികുടിയാൻ സെലക്ട്കമ്മിററിയിലെ ജന്മി മെംബർമാർ സമർപ്പിച്ച ഭിന്നറിപ്പോർട്ടു.

ഭൂരിപക്ഷം റിപ്പോർട്ടിൽ V ാം വകുപ്പിൽ 'എ' മുതൽ 'ഇ' വരെയുള്ള തത്വങ്ങൾ, ഞങ്ങൾ സമ്മതിച്ചിട്ടുള്ളതു യോജിപ്പിനുവേണ്ടി രാജിയായിട്ടാണ്; ഈ തത്വങ്ങൾപ്രകാരം തീർച്ചപ്പെടുത്തുന്നതായ ജന്മിക്കരം ഗവൺമെന്റു പിരിച്ച് ജന്മികൾക്കുകൊടുക്കാം എന്നുള്ള വ്യവസ്ഥയിന്മേൽ മാത്രമാണ്, ഈ തത്വങ്ങളുടെ ന്യായാന്യായതയെപ്പററി ആലോചിച്ചിട്ടല്ല. ഞങ്ങൾ ഇവയെ സ്വീകരിക്കുന്നതു് എന്നു് പ്രത്യേകം വിശദമാക്കേണ്ടിയിരിക്കുന്നു. എന്നാൽ രാജിപ്രകാരമുള്ള ഗവൺമെന്റിന്റെ ബാദ്ധ്യത സർക്കാരിനു് ഏറെറടുക്കാൻ സമ്മതമാണോ എന്നു് അറിയുന്നതിനു മുമ്പിൽ, ഈ രാജിപ്രകാരമുള്ള തത്വങ്ങളെ അടിസ്ഥാനപ്പെടുത്തി നിയമരൂപീകരണം ചെയ്യുന്നതു് ശരിയല്ല എന്നു് അഭിപ്രായപ്പെട്ടു്, ഭൂരിപക്ഷ റിപ്പോർട്ടിൽകാണുന്ന ഭേദഗതികളുടെ ഗുണദോഷങ്ങളെപ്പററി ഞങ്ങൾ ചിന്തിച്ചിട്ടില്ലാത്തതും, അവ ഞങ്ങൾക്കു സമ്മതമില്ലാത്തതും ആകുന്നു. ഗവൺമെന്റിൽനിന്നും നെല്ലു് പിരിച്ചുതരേണ്ടതു ഗവൺമെന്റുനിരക്കു അനുസരിച്ചല്ല, കമ്പോളനിരക്കു് അനുസരിച്ചാണ് എന്നുകൂടി പ്രസ്താവിക്കേണ്ടിയിരിക്കുന്നു.

തിരുവനന്തപുരം, ൧൧൦൭ മീനം ൨൦-ാനു.

എൻ. ആർ. നമ്പൂരിപ്പാട്.
വി. എൻ. ജാതവേദൻനമ്പൂരിപ്പാട്
സി. എൻ. ഇട്ടുപ്പൻനമ്പൂരി.

Separate Note by Mr. Kayalam Parameswaran Pillai.

When the Bill was recommitted, the Government hoped that some working formula based throughout on mutual agreement would be produced and that it would be possible for the Council to proceed on a basis of agreement, which the Government would welcome so much in this legislation. Though a formula has been adopted by the Committee as affording a practical solution, it cannot be said that the acceptance and the implementing of it would have the support of mutual agreement at present. If, however, Government find it possible to undertake responsibility for the collection of the jenmikaram as demand ed by the jenmi members there would be mutual agreement forthwith, as the majority also are for their part agreeable to the method of collection demanded by the jenmi members. In the circumstances, I do not dissent from the majority view, but I must even now say that I reserve the right to take a different view, if found necessary, at any future time.

2nd April 1932. K. PARAMESWARAN PILLAI.

തിരുവിതാംകൂർ ജന്മികുടിയാൻ ഭേദഗതിബിൽ സെലക്റ്റുകമ്മിററി തിരുവനന്തപുരം ഡിവിഷനിലെ തെളിവെടുപ്പുസംബന്ധിച്ചു മെംബർ സി. എൻ. ഉപ്പൻനംപൂതിരി സമർപ്പിക്കുന്ന റിപ്പോർട്ട്.

൧൦൯൭ മകരം ൩-ാം കൂടിയ സിലക്റ്റുകമ്മിററിയോഗത്തിൽനിന്നും നിശ്ചയിച്ച് പ്രസിദ്ധംചെയ്തിരുന്ന പ്രോഗ്രാം അനുസരിച്ചു ൧൦൯൭ മകരം ൨൫ ാം-മുതൽ വിചാരണ ആരംഭിച്ചു. കൂട്ടുമെംബറായ മിസ്റ്റർ കുഞ്ഞിത്തൊമ്മന് ദേഹസുഖമില്ലാതിരുന്നതിനാൽ വന്നുചേരുന്നതിനു നിവൃത്തിയില്ലെന്നുള്ള ലററരും അതോടൊന്നിച്ചു ലാമെംബറുടെ അറിയിപ്പും കാലേക്കൂട്ടി കിട്ടിയിരുന്നതിനാൽ ഞാൻ തനിച്ചാണു സഞ്ചരിച്ചു തെളിവെടുത്തിട്ടുള്ളതു്. കൂടെ ക്ലാർക്ക് എൻ. കൃഷ്ണൻപോററിയും ഒരു പ്യൂണും ഉണ്ടായിരുന്നു. ആദ്യമായി എടലാക്കുടി താലൂക്കുകച്ചേരിയിൽ മകരം ൨൫ ാം- വിചാരണ ആരംഭിച്ചു. കൽക്കുളം (തിരുവട്ടാറു്), വിളവങ്കോട്, നെയ്യാററുംകര, തിരുവനന്തപുരം, നെടുമങ്ങാടു, ചിറയിൻകീഴ് (ആററുംഗൽ) ഈ താലൂക്കുകച്ചേരികളിൽ ഹാജരായി തെളിവെടുക്കപ്പെട്ടു. എല്ലാതാലൂക്കുകച്ചേരികളിലും തഹശീൽദാരന്മാരും മററു സിൽബന്ധികളും വേണ്ട സൌകര്യങ്ങൾ ചെയ്തിട്ടുണ്ടായിരുന്നു. മിക്കസ്ഥലങ്ങളിലും ജന്മിമെംബർ തനിച്ചു തെളിവെടുക്കുന്നതു സമ്മതമല്ലെന്നും കുടിയാന്മാരെ ക്രാസുചെയ്വാൻ കുടിയാൻഭാഗത്തേക്കു ആളില്ലെന്നു ഉള്ള വാദവും ശക്തിയായി ഉണ്ടായിരുന്നു. കൽക്കുളംതാലൂക്കിലെ വിചാരണയിൽ കുടിയാൻഭാഗത്തുനിന്നും ഉണ്ടായിട്ടുള്ള ഭിന്നാഭിപ്രായങ്ങളെ മിസ്റ്റർ ടി. കുമാരപിള്ളയുടെ സഹായസഹരണങ്ങളാൽ ഒരുവിധം സമാധാനമായി തെളിവെടുക്കപ്പെട്ടു. ഒരുസ്ഥലത്തും മൊഴിവാങ്ങിക്കയുണ്ടായിട്ടില്ല. ആകെ തിരുവനന്തപുരംഡിവിഷനിൽ ൨൮൮ കാണയാധാരങ്ങൾ പരിശോധിച്ചു ഫാറം തയ്യാറാക്കപ്പെട്ടു. ഹാജരാക്കീട്ടുള്ള പണ്ടാരവക, ശ്രീപണ്ടാരവക, സർക്കാർദേവസ്വം ഈ ഇനങ്ങളിൽപെട്ട വസ്തുക്കളുടെ അനേകം ആധാരങ്ങൾ തള്ളപ്പെട്ടിട്ടുണ്ടു്. അപൂർണ്ണമായ ഫാറങ്ങളും ഹാജരാക്കപ്പെട്ടിട്ടുണ്ടു്. ഈ ഭേദഗതിയനുസരിച്ചു ഒരു നിയമം രൂപീകരിക്കുന്നതിനെപ്പററി ചില അഭിപ്രായവത്യാസങ്ങൾ കുടിയാൻഭാഗത്തുനിന്നും പുറപ്പെടുവിച്ചിട്ടുണ്ടു്. ബിൽ രൂപീകരിക്കുന്നതിൽ വ്യവസ്ഥപ്പെടുത്തുവാനുള്ള സംഗതികളെകാണിച്ചു മൊഴിവാങ്ങുന്ന അവസരത്തിൽ കൂടുതൽ വിവരം അറിയിച്ചുകൊള്ളാമെന്നും വിവരിച്ചു ചില മെമ്മോറിയലുകളും കിട്ടീട്ടുണ്ടു്. കൂടാതെ ജന്മിമാർ അഞ്ചൽമാർഗ്ഗം അയച്ചിട്ടുള്ള റസലൂഷൻസും കമ്മററിക്കുകി

ട്ടീട്ടുണ്ട്. അവയും, ആധാരങ്ങൾ പരിശോധിച്ചു തയാറാക്കിയ ഫലങ്ങളും ഇതോടൊന്നിച്ചു ചേർത്തിരിക്കുന്നു. തെളിവെടുപ്പിൽ കിട്ടിയ കണക്കുകളുടെ ഫലം ഓരോ താലൂക്കിലേയും പ്രത്യേകമായി താഴെ ചേർത്തിരിക്കുന്നു.

കണക്കുകൾ

൧. അഗസ്തീശ്വരംതാലൂക്കിൽ ആകെ പരിശോധിച്ച ആധാരം ൪-ൽ ജന്മിക്കു ലാഭമുള്ളവ ൨-ക്കു ഗവൺമെൻറുബില്ലിൻപടി കരം പണം ൯൩ ചക്രം ൩ കാശു ൧൦. സെററിൽമെൻറിൻപടി പാട്ടപണം ൨൦൪ ചക്രം ൧ കാശു ൧൧. വ്യത്യാസം പണം ൧൪൦ ചക്രം ൨ കാശു ൧-ക്കു ൨൨൨ ശതമാനം ജന്മിക്കു ലാഭം. ടി താലൂക്കിൽ കുടിയാന്നു ലാഭമുള്ള ആധാരം ൨-ക്കു ഗവൺമെൻറുബില്ലിൻപടി പണം ൫൨ ചക്രം ൨ കാശു ൩. സെററിൽമെൻറിൻപടി പണം ൨൧ ചക്രം ൧ കാശു ൨. വ്യത്യാസം പണം ൯൧ ചക്രം ൧ കാശു ൧-ക്കു ൭൪ ശതമാനം കുടിയാന്നു ലാഭം.

൨. കൽക്കുളം താലൂക്കിൽ ആകെ പരിശോധിച്ച ആധാരം ൪൬-ൽ ജന്മിക്കു ലാഭമുള്ളവ ൨൯-ക്കു ഗവൺമെൻറുബില്ലിൻപടി കരം പണം ൧൧൨൬ ചക്രം ൩. സെററിൽമെൻറിൻപടി പണം ൨൦൩൯ കാശു ൩. വ്യത്യാസം പണം ൮൧൦ ചക്രം ൧ കാശു ൩-ക്കു ൫൦ ശതമാനം ജന്മിക്കു ലാഭം. ടി താലൂക്കിൽ കുടിയാന്നു ലാഭമുള്ള ആധാരം ൧൮-ക്കു ഗവൺമെൻറുബില്ലിൻപടി കരം പണം ൧൧൭൬. സെററിൽമെൻറിൻപടി പണം ൭൨൪ ചക്രം ൨ കാശു ൧൩ വ്യത്യാസം പണം ൪൬൦ ചക്രം ൧ കാശു ൩-ക്കു ൩൫ ശതമാനം കുടിയാന്നു ലാഭം.

൩. വിളവങ്കോട്ടുതാലൂക്കിൽ ആകെ പരിശോധിച്ച ആധാരം ൩൬-ൽ ൨൪ ആധാരം ജന്മിക്കു ലാഭമായിട്ടുള്ളതിനു ഗവൺമെൻറുബില്ലനുസരിച്ചു കരം പണം ൫൬൦ ചക്രം ൨ കാശു൯. സെററിൽമെൻറിൻപ്രകാരം പാട്ടം പണം ൧൯൦൮ ചക്രം൧. വ്യത്യാസം പണം ൭൬൫. ചക്രം ൨ കാശു ൧൦-ക്കു ൫൮ ശതമാനം ജന്മിക്കു ലാഭം. ടി താലൂക്കിൽ കുടിയാന്നു ലാഭമായ ആധാരം ൧൧-ക്കു ഗവൺമെൻറ ബില്ലനുസരിച്ചു കരം പണം ൯൭൫ ചക്രം ൧ കാശു ൧൦. സെററിൽമെൻറിൻപടി പാട്ടംപണം ൨൧൦ ചക്രം ൩ കാശു ൧൦. വ്യത്യാസം പണം ൪൯൭ ചക്രം ൨-ക്കു ൯൫ ശതമാനം കുടിയാന്നു ലാഭം.

൪. നെയ്യാററിൻകര താലൂക്കിൽ ആകെ പരിശോധിച്ച ആധാരം ൩൫-ൽ ജന്മിക്കു ലാഭമായ ആധാരം ൧൫ക്കു ഗവണ്മെൻറു ബില്ലനുസരിച്ചു കരംപണം ൪൦൮ ചക്രം ൧ കാശു ൧൨. സെററിൽമെൻറിൻപടി പാട്ടം പണം ൯൭൬ ചക്രം ൧ കാശു ൧൩. വ്യത്യാസം പണം ൫൬൪ കാശു ൧൧-ക്കു ൧൩൮ ശതമാനം ജന്മിക്കു ലാഭം. ടി താലൂക്കിൽ കുടിയാനു ലാഭമായ ആധാരം ൨൦-ക്കു ഗവണ്മെൻറ് ബില്ലനുസരിച്ചു കരം പണം ൧൪൧൫ ചക്രം ൩ കാശു ൨. സെററിൽമെൻറിൻപടി പണം ൫൮൧ ചക്രം ൩ കാശു ൧. വ്യത്യാസം പണം ൮൩൪ കാശു ൧-ക്കു ൫൮ ശതമാനം കുടിയാനു ലാഭം,

൫. തിരുവനന്തപുരം താലൂക്കിൽ ആകെ പരിശോധിച്ച ആധാരം ൪൦-ൽ ജന്മിക്കു് ലാഭമായ ആധാരം ൨൨-ക്കു് ഗവണ്മെൻറ് ബില്ലനുസരിച്ചു കരം പണം ൧൯൦ ൭. സെററിൽമെൻറിൻപടി പണം ൨൭൧൩ കാശു ൧൧. വ്യത്യാസം പണം ൮൬ കാശു ൧൧-ക്കു് ൪൨ ശതമാനം ജന്മിക്കു ലാഭം. ടി താലൂക്കിൽ കുടിയാനു ലാഭമായ ആധാരം ൧൮-ക്കു് ഗവണ്മെൻറു ബില്ലനുസരിച്ചു കരം പണം ൮൨൬ ചക്രം ൨ കാശു ൧൧.. സെററിൽമെൻറിൻപടി പണം ൬൦൪ കാശു ൧൦. വ്യത്യാസം പണം ൨൨൨ ചക്രം ൨ കാശു ൧-ക്കു് ൨൬ ശതമാനം കുടിയാനു ലാഭം.

൬. നെടുമങ്ങാട്ടു താലൂക്കിൽ ആകെ പരിശോധിച്ച ആധാരം ൩൪-ൽ ജന്മിക്കു് ലാഭമായ ആധാരം ൧൭-ക്കു ഗവണ്മെൻറു ബില്ലനുസരിച്ചുള്ള കരം പണം ൯൨൬ ചക്രം ൧ കാശു ൯. സെററിൽമെൻറു അനുസരിച്ചു പാട്ടം പണം ൧൬൮൬ ചക്രം ൨ കാശു ൪. വ്യത്യാസം പണം ൭൬൦ കാശു ൧൧ ക്കു് ൮൨ ശതമാനം ജന്മിക്കു് ലാഭം. ടി താലൂക്കിൽ കുടിയാനു ലാഭമായ ആധാരം ൧൭-ക്കു ഗവണ്മെൻറുബില്ലനുസരിച്ചു കരം പണം ൧൭൬൦ ചക്രം ൨ കാശു ൯. സെററിൽമെൻറിൻപടി പണം ൧൦൦൨ ചക്രം ൧ കാശു ൪. വ്യത്യാസം പണം ൭൫൮ ചക്രം ൧ കാശു ൫-ക്കു് ൫൩ ശതമാനം കുടിയാനു ലാഭം.

൭. ചിറയിൻകീഴ് താലൂക്കിൽ ആകെ പരിശോധിച്ച ആധാരം ൫൧-ൽ ജന്മിക്കു ലാഭമായ ആധാരം ൨൫-ക്കു ഗവണ്മെൻറു ബില്ലനുസരിച്ചു കരം പണം ൧൭൦൨ ചക്രം ൩ കാശു ൧൨. സെററിൽമെൻറിൻപടി കരം പണം ൨൬൫൮ ചക്രം ൧ കാശു ൫. വ്യത്യാ

സം പണം ൻ൫൫ ചക്രം ൨ കാശു ൻ.ക്ക ൫൩ ശതമാനം ജന്മിക്ക് ലാഭം. ടി താലൂക്കിൽ കുടിയാന്റെ ലാഭമായ ആധാരം ൨൩ക്ക ഗവണ്മെൻറുബില്ലനുസരിച്ചുള്ള കരം പണം ൨൨൪൨ കാശു ൪. സെററിൽമെൻറിൻപടി കരം പണം ൧൧ ചക്രം ൨ കാശു ൩. വ്യത്യാസം പണം ൩൩൪ ചക്രം ൨ കാശു ൨൪-ക്ക ൩൨ ശതമാനം കുടിയാന്റെ ലാഭം.

ഏഴു താലൂക്കുകളിലും കൂടി ആകെ ൨൪൪ ആധാരം പരിശോധിച്ചതിൽ ജന്മിക്കു ലാഭമായി കണ്ട ആധാരം ൨൩൨-ക്ക ഗവണ്മെൻറുബില്ലനുസരിച്ച കരം പണം ൩ൻ൮൫ കാശു ൨. സെററിൽമെൻറിൻപടി പാട്ടം പണം ൨൨൮൮൦ ചക്രം ൨ കാശു ൻ. വ്യത്യാസം പണം ൪൮ൻ൫ ചക്രം ൨ കാശു ൮ക്ക ശരാശരി ൧൦ ശതമാനം ജന്മിക്ക് ലാഭം. കുടിയാന്റെ ലാഭമായി കണ്ട ആധാരം ആകെ ൨൨൩-ക്ക ഗവണ്മെൻറു ബില്ലനുസരിച്ച കരം പണം ൧൦൮൨ കാശു ൧. സെററിൽമെൻറിൻപടി പാട്ടം പണം ൩ൻ൨൨ ചക്രം ൨ കാശു ൨൪. വ്യത്യാസം പണം ൩൨൫൮ ചക്രം ൨ കാശു ൻ-ക്ക ശരാശരി ൪൪ ശതമാനം കുടിയാന്റെ ലാഭം.

ഇതു രണ്ടും തമ്മിലുള്ള വ്യത്യാസം ൨൩ ശതമാനം മാത്രമാണ്.

തിരുവനന്തപുരം,
൨൦൧ മീനം ൩-൦൬൩-

സി. എൻ. ഇട്ടുൻനമ്പൂരി.

APPENDIX B.

STATEMENT

By Messrs. A. S. Damodaran Asan and
N. Raman Nampuripad.

To the Jemi and Kudiyan Select Committee.

According to the programme, this party consisting of ourselves (*i. e.*, A. S. Damodaran Asan and N. Raman Nampuripad) a clerk and a peon visited all the taluks except Shenkottah in the Quilon Division. Owing to indisposition, Mr. Raman Nampuripad was unable to be present at Pathanamthitta campshed. In all the taluks except Ampalapuzha both the parties jenmies and kudiyans were present to help the committee by furnishing the necessary material. Though there are 880 items of Kanappattom properties in the Ampalapuzha taluk, we were told that the parties are indifferent to the work of the committee members as the Kanappattom holding formed only an insignificant portion of their wealth.

The total number of Kanappattom transaction, about which full details were recorded by the Committee, is 547. In certain cases the parties themselves have noted down the necessary information from their records and produced the same before the committee members. The lists thus supplied are forwarded herewith separately.

The question referred to the Select Committee is the following;

"Whereas in respect of Kanappattom lands, an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes and out of that pattom, whatever is left after deducting the Sirkar tax be taken to be the jenmi's due in lieu of all and every one of their claims and if any such arrangement can reasonably be made, to draft and submit the necessary legislative provision for the same."

We have analysed the figures collected to ascertain how the proposed change would affect the parties concerned. Our opinion is that when the change would not vary the existing dues by more than 10 per cent. the change could be considered to be unsubstantial. On that assumption in 68 out of 547 cases (*i. e.*, 12½ per cent) the change is not substantial. In the balance of 87 ½ of the cases the change appears to materially affect one or other of the parties. In 286 cases (*i.e.*, about 52 per cent.) the kudiyan suffers substantial loss and in 193 cases (*i. e.*, about 35 1/2 per cent. the jenmi suffers substantial loss. In 161 cases (*i. e.*, about 30 per cent. the kudiyan has to pay more than double the dues he is bound to pay under the Amendment Bill and in 96 cases (*i. e.*, about 18 per cent.) the jenmi would get only less than half of what he is to get under the Amendment Bill. Thus we find that while there are only about 12½ per cent. of the parties that would not be substantially affected, the proposal would work highly inequitably upon 30 per cent. of the kudiyans and 18 per cent. of the jenmies. We have come across cases in which the jenmies dues would be reduced to 1/50 and those in which the kudiyan's liability would be enhanced to 15 times if the proposal is brought into effect.

At Quilon, Kottarakkara and Kunnathur, memorials have been submitted by the kudiyans praying that where dues are payable in paddy, they may be converted into money as the rate at which Sirkar tax is now paid. Since this question is beyond the scope of the reference to the Select Committee and the jenmies have serious objection to this course, we fear that we are not competent to consider the proposal on the merits.

It is not difficult to find out the main reason for the wide divergence between the jenmikkaram and the Settlement pattom less Sirkar tax in such a large number of cases. A very important factor governing the fixing of jenmikkaram is kanom amount while the settlement pattom has nothing to do with the kanom amount. Though one-eighth of the Settlement pattom is the Sirkar tax for kanappattom lands we find that this proportion is not maintained in a considerable number of cases. Moreover by the Karampathippu Rules the tax on kanappattom lands of non-Brahmin jenmis is fixed as half of the Settlement pattom. We were told by persons who have served the Government during the last Settlement that there were confidential circulars to the effect that, the existing tax on those lands is not reduced by the new Settlement. It appears that owing to this fact the 'Tharom' of the kanappattom lands had to be fixed higher than that of the pandarappattom lands of

similar quality in the locality since in the previous Settlement the tax on kanappattom lands varied from one eighth to two-fifth. Certain cases in which the jenmikkaram is inequitably heavy was also brought to our notice. We think that the Settlement pattom minus Sirkar tax may be taken for moderating jenmikkaram so that the dues may be enhanced where it is too light or reduced where the burden is too heavy. We have no objection to fix the jenmis' dues as the cases arise. A very important factor governing the fixing of jenmikkaram is kanom amount while the Settlement pattom or Sirkar tax has nothing to do with the kanom amount. We learn that at the last General Revenue Settlement the officers deputed for the same had instructions that they should see that the existing tax on lands is not reduced by the new Settlement. And from the Settlement Proclamation it could be seen that while at the last Settlement the tax on jenmom lands was fixed as one-eighth of the Settlement pattom, it varied from one-eighth to two-fifths of the Settlement pattom at the prior Settlement. Due to the above facts in many cases the "Tharom" of the kanappattom lands had to be fixed higher than that of the pandarappattom lands of similar quality in the locality. It should also be remembered that by the Karampathippu Rules the tax on kanappattom lands of non Brahmin jenmis is half of the Settlement pattom. Thus we see that though both jenmikkaram Settlement pattom minus Sirkar tax are founded upon the yield of the property there are certain factors which cause some divergence between them. We give below an abstract statement of the number of documents we have examined and the results we have obtained.

N. R. NAMBUDIRIPAD.

A. S. DAMODARAN ASAN

Taluk.	No. of cases recorded.	No. of cases in which there is no substantive alteration i. e., below 10%	No. of cases in which the jenmi is adversely affected.	No. of cases in which the kudiyan is adversely affected.	No. of cases in which the jenmi's dues is reduced to less than 1/2.	No. of cases in which the kudiyan's liability is more than doubled	Maximum divergence in both directions.
Mavelikara	105	12	26	67	11	40	1/6&15
Kartikappally	36	5	27	4	18	1	1/50&2½
Karunagappalli	45	7	17	21	14	12	1/10&3
Quilon	39	4	11	24	4	15	1/6&6
Kottarakkara	48	6	14	28	2	16	1/3&5½
Pathanapuram	62	8	19	35	7	16	1/2 & 4½
Kunnathur	73	8	25	40	10	30	1/7 & 12
Pathanamthitta	49	7	15	27	10	14	1/6&6
Thiruvalla	90	11	39	40	22	17	1/10&10
Total	547	68	193	286	98	161	1/50&15

APPENDIX C.

Statement

to

The Select-Committee, Jenmi and Kudiyan Regulation (Amendment) Bill,

by

Messers. V. N. Jatavedan Namboori pad,
,, E. V. Krishna Pillai B. A. & B. L., and
,, Kottalil P. Abraham B. A. & B. L., being the members of the said committee appointed to tour the Kottayam Division.

Sirs,

We, the undersigned, beg to state as follows :—

In pursuance to the programme of tour settled for the Kottayam Division and published in the Government Gazette, our party (consisting of Messers. V. N. Jatavedan Namburipad, E. V. Krishna Pillai and Kottalil P. Abraham) attended by a clerk and a peon started work at Shertallai on the 20th Makaram 1107 and halting there for 1 day, at Vaikom for 2 days, at Alwaye, Perumbavoor, Puthencruz, Muvattupuzha, Thodupuzha, Kuthattukulam and Piravom for 1 day each, at Pala for 3 days, at Kidangoor for 2 days, and at Kottayam and Changanachery for 1 day each, finished our tour on the 14th Kumbhom 1107. It may be observed that the stations of our halt were found to be very convenient centres for jenmis and kudiyans to appear in large numbers before us with necessary documents. All the members of our party were precent at all the appointed centres and we were glad to find jenmis and kudiyans at each Station taking a keen interest in our work; and no one could fail to note the earnestness and enthusiasm with which they rushed to us for producing and explaining the documents each possessed. We had the opportunity of examining numerous kanom deeds and we could record the contents of as many as 482 of such documents, taking particular care to note down every variety of Kanappattom and and the documents, relating to each of the several jenmis that came to our notice. Besides the largeness in number of the documents submitted for our inspection, the amazing variety of the terms contained in them, and the ardent zeal evinced by each party to get every document scrutinized and recorded by us did indeed throw upon us a burden which we had to strive hard to bear.

The 482 Kanom deeds recorded by us at the several stations relate to lands belonging to 243 jenmis and their contents are noted down in the prescribed forms, showing the particulars as they appeared in the original documents. The Settlement Registers and Survey plans of the properties covered by the deeds examined were produced for our convenient reference by the Revenue Officers of the Taluks visited by us, and so we have been able to record also in the prescribed form the necessary particulars appearing in the Settlement Registers, The entries in the prescribed form will show the amounts of the various items stipulated in the Kanom deeds, and the amounts of the settlement pattom and the Sirkar tax found in the Settlement Registers. For

purposes of easy comparison we found it necessary to prepare another statement in which all the different particulars are reduced to *chuckrams.* A glance at that statement will show clearly the proportion which the amount of "Settlement pattom *minus* Sirkar tax" bears to the sum total of the existing dues as well as to the amount of the proposed jenmikkarams in each case. We have also taken pains to prepare further, an Abstract statement, as shown at the foot, showing the percentage of loss or gain as regards the parties concerned in the Kottayam Division if the "Settlement pattom minus Sirkar tax" be adopted as the jenmi's annual dues in substitution of all their rights.

A perusal of the above-mentioned statements compels us to make the following observations. The Council's mandate to the Committee is to see whether, after taking evidence, the "Settlement pattom *minus* Sirkar tax" may be fixed as the jenmi's dues in lieu of all and every one of his rights over the kanapattom properties or whether some such arrangement can reasonably be made whereby a settlement of the questions between the jenmis and the kudiyans can be reached. We may at once say, from the statistics prepared, that the 'settlement pattom *minus* Sirkar tax' hits hard the jenmis and the kudiyans in varying degrees. Both the jenmis and the kudiyans alike object to the substitution of the jenmis' existing dues by 'Settlement pattom *minus* Sirkar tax' though their grounds of objection are different. Several parties brought to our notice the unequal treatment shown in respect of jenmom lands as compared with the Sirkar lands at the time of the last Revenue Settlement. On a reference to the Survey Plans and the Settlement Registers, we could observe the *tharam* of jenmom lands in certain cases to be very much higher than that of the closely adjacent Sirkar lands of the same description. It is needless to state that the pattom of a land increases or diminishes as its *tharam* is raised or lowered. The ground stated for the apparent variation in *tharam* between jenmom lands and Sirkar lands in the close neighbourhood is that the Government had issued instructions to the last Settlement authorities to see that on no account the Sirkar tax on jenmom lands should go down. It has also to be stated that the 'Settlement pattom *minus* Sirkar tax', is a standard in disregard of the kanam amounts paid by the kudiyans to the jenmis. The jenmis would raise as an objection that under the proposal of 'Settlement pattom *minus* Sirkar tax'. They stand to lose all their chance of future rights whereby the existing pattom could be enhanced on renewals.

Various suggestions, however were put forward by both the jenmis and kudiyans and both parties have also given us petitions to be presented before the Committee. However different might be the views of those various persons, representing divergent interests, on the changes proposed in the existing law, it is worth mentioning that all parties concerned seemed to be unanimous in their intense desire to get the problem solved once for all and the law settled permanently. Ve could also understand from informal talks that the jenmis and th yans showed commendable willingness and spirit of sacrifice paramount purpose of setting at rest the varied and thorny

relating to their mutual relationship. This does not mean that there were not, however, a few jenmis who frankly owned their inability to appreciate any change of the existing law.

Some jenmis advanced the view that it would be a welcome step if they were given in lieu of all and every one of their rights over the kanapattom lands an amount in a lump, the interest on which at 6 per cent, per annum would work out the jenmikkaram mentioned in the Government Bill. Some others would be satisfied with a proportionate share of the lands allotted to them, with absolute powers, out of the possession of the kudiyans; but a large number of jenmis expressed their dissent to this suggestion. Both jenmis and kudiyans in some places said that the Government should be moved to make use of the Land Mortgage Bank for the kudiyan's purchasing the jenmi's rights and their paying the purchase money through the aid of the Land Mortgage Bank in instalments. At Kidangoor the jenmis and kudiyans went to the extent of suggesting that any arrangement may be fixed upon which does not materially alter the amount of the present dues to the jenmis, one necessary condition being that the jenmis' dues shall be realised through the agency of the Sirkar.—Both parties however wanted to have the commutation rate for paddy permanently fixed.

Most of the kudiyans at the centres of Puthencruz, Koothattukulam, Piravom, Kottayam and Changanachery were ready with facts and figures to prove that they are already rack-rented on account of the successive renewals resorted to by the jenmis from time to time and that any proposal by which the existing liabilities are enhanced would be exceedingly unbearable. They alleged that with the progressive deterioration of soil, the increase in labour charges, the scarcity of of manure, and other disadvantages they find themselves quite unable to satisfy the jenmis who always look forward for renewals only to increase the kudiyan's liabilities. These allegations are stoutly opposed by certain jenmis. The scope of our enquiry being of a limited character, we did not pause to consider these aspects of the question to their entire extent. We need only refer to them to observe that things have reached such a stage that unless the whole question is approached with boldness and courage and with a firm determination to solve it once for all, there will be increasing disquiet in regard to this very important question.

It has to be noted that the proposal for substituting the 'Settlement Pattom *minus* Sirkar tax' in place of all the various dues to the jenmi seemed acceptable to the Council as introducing a new method of solving the question once for all. The principle of the proposal we think, may be adopted to arrive at a definite arrangement; but in view of the abnormal variations noticed in certain instances like the following, some restriction has to be made in its general application. There are cases in which the Sirkar tax is equal to or even in excess of, the Settlement Pattom. The jenmis' dues in those cases, of course, become reduced to cipher. In other instances, we find that Settlement Pattom after deducting the Sirkar tax therefrom rises up to 25 times the amount of the dues now paid by the kudiyan. These indeed are extreme cases. The abstract statement of statistics attached herewith

and the figures recorded in the prescribed forms will disclose that the variations from the existing dues on account of the adoption of the Settlement figures are not all uniformly abnormal. [The figures further disclose that the annual jenmikkaram as fixed by the Government Bill or by the previous Select Committee is far larger than the annual michavarom and the customary dues that are being paid now, nevertheless the jenmikkaram is the amount on which the jenmis and kudiyans have to agree, and a fair variation from that amount either way cannot seriously injure eitherside. The 'Settlement Pattom *minus* Sirkar tax' should be so fixed as not to increase or reduce the jenmikkaram by more than ten per cent. of the latter. In our opinion such an arrangement will be reasonable and conducive to the harmonious relationship between the jenmis and the kudiyans in the State. We also desire to suggest that when the dues are fixed they may be realised from the kudiyans through the agency of the Sirkar].

The following is the Abstract Statement showing in what way the proposal based on Settlement Pattom *minus* Sirkar tax' affects the existing dues to the jenmis in the cases recorded in the Kottayam Division.

Serial No.	Stations.	No. of cases recorded.	No. of cases in which there is no substantial alteration.	No. of cases in which the jenmi is adversely affected by new proposal.	No. of cases in which the kudiyan is adversely affected.	No. of cases in which the jenmi's dues is reduced to less than one-half.	No. of cases in which the kudiyan's liability is more than double.	Maximum and minimum limits of variation what fold or what portion.
1	Shertallai	21	7	10	4	5	Nil	2 to 1/5
2	Vaikom	101	22	33	46	23	25	12 to 1/48
3	Alwaye	28	11	9	8	4	6	5 to 1/8
4	Perumbavoor	28	6	8	14	6	9	13 to 1/3
5	Puthencruz	44	8	7	29	2	23	25 to 1/3
6	Muvattupuzha	28	3	10	15	6	5	4 to 1/45
7	Thodupuzha	18	5	5	8	3	3	12 to 1/13
8	Koothattukulam	15	2	1	12	Nil	4	5 to 1/4
9	Piravom	41	3	9	29	2	14	10 to 1/4
10	Palai	49	8	22	19	9	9	6 to 1/2
11	Kidangoor	45	11	15	19	7	4	9 to Nil
12	Kottayam	27	10	11	6	8	3	2 to 1/20
13	Changanachery	37	7	16	14	10	7	10½ to Nil
	Total	482	103	156	223	85	112	25 to 0

Trivandrum,
6th Meenam 1107.

1. V. N. Jathavedan Namboodiripad,
2. E. V. Krishna Pillai.
3. Kottalil P. Abraham.

ഈ റിപ്പോർട്ടിൽ ഒടുവിലത്തെ പാരാവിൽ [ ] അടയാളപ്പെടുത്തിയിരിക്കുന്ന ഭാഗങ്ങൾ കമ്മറ്റി സ്ഥലങ്ങളിൽപോയി തെളിവുശേഖരിച്ചതിൽനിന്നും ലഭിച്ചതോ അനുയോജ്യമോ അല്ലാത്തതിനാൽ ആ ഭാഗങ്ങളെ ഒഴിച്ച് ബാക്കിഭാഗങ്ങളിൽ ഞാൻ യോജിക്കുന്നു.

വി. എൻ. ജാതവേദൻ നമ്പൂരിപ്പാട് (ഒപ്പ്).

Supplement E.

THE TRAVANCORE JENMI AND KUDIYAN REGULATION AMENDMENT BILL.

(As Revised by the Select Committee after recommittal.)

(Words in italics indicate the amendments suggested by the Committee.)

A BILL TO AMEND THE TRAVANCORE JENMI AND KUDIYAN REGULATION OF 1071 (V OF 1071).

Whereas it is expedient to amend the Travancore Jenmi and Kudiyan Regulation of 1071, Regulation V of 1071, for the purposes hereinafter appearing; It is hereby enacted as follows :—

I. (a) This Regulation may be called "The Travancore Jenmi and Kudiyan (Amendment) Regulation, 110 ".

(b) It shall come into force at once.

II. In Section 1 of the Travancore Jenmi and Kudiyan Regulation of 1071, Regulation V of 1071, hereinafter referred to as the said Regulation, the words and figures "Para 2 of Section 5 and" occurring in the priviso shall be omitted.

"II. A *For Section 2 of the said Regulation, the following shall be substituted, namely :—*

2. '*No custom or customary right as between the jenmi and the kudiyan shall prevail unless provided for in this Regulation expressly or by necessary implication*'."

III. In Section 3 of the said Regulation—

(a) the words "periodical renewal of the right on" occurring in Clause (1) shall be omitted ;

(a) (1) *In Section 3 (1) of the said Regulation number the existing Explanation as Explanation I, and add the following as Explanation 2, namely,*

"*Explanation 2. For the purposes of this definition, the payment of jenmikaram shall be deemed to be the payment of michavaram or customary dues and the payment of renewal fees*".

"(a) (2) *In Section 3 (2) of the said Regulation, for the word "proprietory" the word "jenmom" shall be substituted, and for the word "lands" where it occurs a second time, the word "right" shall be substituted.*"

(b) between the words "assessed" and "rent" occurring in Clause (9) the word "annual" shall be inserted :

(c) "*In Section 3 (10) of the said Regulation, the word "annual" shall be inserted before the word " residual" and the word "annually" occurring after the word "deliverable" shall be omitted.*"

(d) for Clause (11), the following shall be substituted, namely :—

"(11) "Renewal fees" means such fees as Atukkuvatu, Sakshi, Opputusi or the like agreed to be paid by the kudiyan to the jenmi periodically on occasions when the Kanapattom is renewable, and include the "fractional fee".

"and, 'fractional fee' means the fee fixed as claimable (in substitution of the renewal fees) in annual instalments at the rate of seven per cent. of the aggregate value or amount of the renewal fees due on the expiry of twelve years, or in annual instalments proportionately lower in percentage when renewal on the expiry of any longer period is provided for by the kanapattom."

Explanation —When a Kanapattom provides for Purushantra Polichezhuttu (renewal on the death of the jenmi or Kudiyan) or for renewal when a temple may be renovated, or when the language of the instrument raises a reasonable doubt as to the length of the period on the expiry of which renewal is enforceable, it shall be deemed that renewal on the expiry of every thirty-six years was intended and agreed upon by the parties."

(*e*) for Clause (12), the following shall be substituted, namely:—

"(12) "Customary dues" means cesses or perquisites consisting of (i) Onakkazhcha, Panchaphalam, Utsavakoppu or the like due annually or periodically on specific dates, and (ii) Arukazhcha, Kalasavari or the like due at periodical intervals, which though specific are not previously ascertainable whenever such cesses or perquisites are payable by the kudiyan to the jenmi in accordance with the terms of a Kanapattom; and

"Commuted cess" means the commuted money value of customary dues, if any, ascertained as claimable by the jenmi every year after the commencement of the Amendment Regulation according to the calculation made in the manner specified hereunder; that is to say:—

(i) when Kalasavari is claimable by a jenmi, it shall be assumed that he is entitled to five per cent. of one Kalasavari cess every year;

(ii) when Arukazhcha is claimable by a jenmi, it shall be assumed that he is entitled to sixteen per cent. of one Arukazhcha cess every year;

(iii) when other dues or cesses are claimable by a jenmi, the annual value of such shall be ascertained by calculation.

(iv) in valuing any due or cess payable in kind, the cummutation price specified in the contract of Kanapattom or understood to be the one conformable to the local customary rate, whichever is the lower, shall be the guide,

(v) the sum total of the value or amounts of the dues or cesses ascertained as annually payable to the jenmi in accordance with the calculation made under Clauses (i) to (iv) shall be deemed to be the "commuted cess" in any given case"; and

(*f*) *In Section 3 of the said Regulation the following shall be substituted; for Clause (14), namely:—*

"14. Jenmivaram in respect of a jenmom land or holding means the total of the amounts of the annual michavaram, the fractional fee and the commuted cess in respect thereof,

And after Clause (14) so substituted, the following shall be added in Section 3 of the said Regulation, namely:—

"15. Settlement pattom in respect of a jenmom land means the pattom fixed by Our Government for the Land Revenue purposes at a general

Revenue Settlement and includes also the proportionate pattom chargeable on each portion of a land wherever the land is divided for any reason."

"(16) Settlement pattamicham in respect of a jenmom land means its Settlement pattom minus the tax due thereon to Our Government."

Explanation :—Wherever the Settlement Pattom is fixed in kind, 'tax' means the tax in kind fixed with reference to the Settlement Pattom although the tax may be payable to Our Government in money.

"(17) Jenmikaram in respect of a jenmom land or holding means the amount payable in respect of that land or holding under the provisions of this Regulation by the kudiyan to the jenmi every year in lieu of all and every one of the jenmi's claims in respect of the land or holding, such jenmikaram being fixed as follows :—

(a) When the Settlement pattamicham with reference to the last general Revenue Settlement and the jenmikaram in respect of any jenmom land or holding are the same in amount or (if they differ) when the amount of the difference between the two is not larger than ten per cent. of the jenmivaram, the Settlement pattamicham shall be the jenmikaram.

(b) When the amount of the Settlement pattamicham with reference to the last general Revenue Settlement is larger than the amount of the jenmivaram by more than ten per cent. of the latter, the jenmivaram plus ten per cent. thereof shall be the jenmikaram.

(c) When the amount of the Settlement pattamicham with reference to the last general Revenue Settlement is less than the amount of the jenmivaram by more than ten per cent. of the latter, the jenmivaram minus ten per cent. thereof shall be the jenmikaram.

Explanation 1.—Payment of or the liability to pay the jenmikaram is equivalent to paying or the liability to pay the michavaram, renewal fees and customary dues.

Explanation 2.—When any jenmom land or holding is divided for any reason, the jenmivaram and the jenmikaram chargeable proportionately on each part shall respectively be the jenmivaram and the jenmikaram due on that part.

(18). 'Prescribed' means prescribed from time to time by Our Government by Notification in Our Government Gazette.

(19). 'The (Amendment Regulation' means the Travancore Jenmi and Kudiyan Amendment) Regulation, 110 ."

"III. A. In Section 4 of the said Regulation, the word " his " occurring before the words " jenmom lands ' shall be omitted."

IV. For Sections 5 to 14 of the said Regulation the following sections shall be substituted namely :—

IV. "5. From and after the commencement of the Amendment Regulation, the jenmi shall not have any right, claim or interest in any land in a holding except the right to receive the jenmikaram thereon and the kudiyan, shall be deemed to be the owner of the land subject only to the payment of the jenmikaram.

Explanation 1.—The Jenmi's right as well as the kudiyan's right is heritable as well as transferrable by sale gift or otherwise.

Explanation 2.—Notwithstanding any usage or contract to the contrary no kudiyan has the right to relinquish or apply for permission to relinquish his holding or any portion thereof and no jenmi has the right to evict or sue for the eviction of a kudiyan from his holding or any portion thereof:

Provided that this prohibition shall not affect any order made or decree passed on an application presented or in a suit instituted under the provisions of Regulation V of 1071 prior to the 1st April 1930|19th Meenam 1105, even though the order or decree be made or passed after the commencement of the Amendment Regulation.

Explanation 3.—Notwithstanding any usage or contract to the contrary, every kudiyan has the right to make any use of the land in his holding, to change its character either by converting wet land into garden land or by converting garden land into cultivable wet land, or in any other manner, to cut down and appropriate any trees standing thereon, to alter the course of cultivation in respect thereof, and, in short, to do or suffer any thing to be done on the land without reference to, or interference from, the jenmi.

Explanation. 4—Notwithstanding any usage or contract to the contrary, every kudiyan has the right to make any improvement in respect of his holding without reference to, or interference from, the jenmi, and no kudiyan shall thereby become liable to pay any higher jenmikaram on account of any increase of production or any change in the nature of the crop raised in consequence of such improvement.

Explanation 5.—The jenmi's right to the jenmikaram shall be deemed to be immovable property,

6. (1) If in a holding there are more parcels of land than one, each having Settlement pattom assessed separately, the jenmikaram of the entire holding shall be ascertained in accordance with the provisions of this Regulation and distributed in respect of each parcel of land in the proportion of the Settlement pattamicham bearing on such parcel of land.

(2) The jenmikaram so distributed in respect of each parcel of land shall be the jenmikaram due thereon.

7. If any jenmom land is divided for any reason, the jenmikaram on each portion of the land shall be fixed in the proportion of the Sirkar tax that will be fixed on such portion of land and the jenmikaram so fixed shall be the jenmikaram due thereon.

8. Notwithstanding any usage or contract to the contrary, it shall not be lawful hereafter to take into account in any case as renewal fees any amount exceeding twenty-five per cent. of the kanom."

9. The jenmikaram of a holding together with the interest, if any, due thereon, when it becomes an arrear, shall be claimable by the jenmi and shall subject to the priority of the rights of Our Government, be a first charge on the holding.

"10. No Kudiyan shall, when, without his consent the jenmi's right in any jenmom land is transferred by sale, gift or otherwise be liable to the transferee for the jenmikaram which became due after the transfer and was paid to the jenmi whose right was so transferred unless the transferor or transferee has, before the payment, given notice of the transfer to the kudiyan by registered Anchal or Post.

"11. When a jenmom land or holding is divided or is transferred by sale, gift or otherwise by the kudiyan without the consent of the jenmi, the kudiyan shall continue liable for the jenmikaram accruing due after such division or transfer unless and until notice by registered Anchal or Post of the division or transfer is given to the jenmi by any sharer or by the transferor or transferee, as the case may be, and until pokkuvaravu is effected in the Land Revenue records in accordance with the division or transfer,

Explanation.—This provision does not affect any liability of any sharer or transferee as between such person and other sharers or the transferor, as the case may be, to pay the jenmikaram."

"*12. No division of the jenmi's right in any jenmom land shall be binding on the kudiyan thereof, unless it is made with the consent of the kudiyan or notice thereof is given to the kudiyan by registered Anchal or Post informing him of the prescribed particulars of the division and the jenmikaram which may become due subsequent to such division made without such consent or notice may be paid to the jenmi entitled thereto before such division.*

13. Notwithstanding any usage or contract to the contrary, it shall not be obligatory on the jenmi to renew, or on the kudiyan to accept the renewal of, a contract of kanapattom.

"*14 (1). Notwithstanding any usage or contract to the contrary, the jenmikaram of any land shall not be liable to alteration or revision at any time except after any future general Land Revenue Settlement by Our Government.*

(2) Whenever Our Government make any general Land Revenue Settlement in the future and the Settlement pattamicham at that Settlement is found to differ from the amount of the Settlement pattamicham with reference to which any jenmikaram has been fixed, that jenmikaram shall be enhanced or reduced in proportion as the Settlement pattamicham at the latter Settlement is larger or smaller than the Settlement pattamicham at the previous Settlement.

(3) Except under the provisions of this sections, the jenmi shall not be entitled to claim any enhanced jenmikaram and the kudiyan shall not be entitled to reduce the jenmikaram.

(4) The enhanced jenmikaram or the reduced jenmikaram due on a land, as the case may be, shall be payable from the 1st day of Chingom in the year next following that in which the Revenue Settlement comes into operation in respect of that land, and with effect from that day the enhanced jenmikaram, or the reduced jenmikaram, as the case may be, shall be the jenmikaram due thereon."

V. In Chapter III of the said Regulation, for the heading of Part A. the following shall be substituted, namely :—

"Part A—*Jenmikaram and its recovery.*

"*15 (1). Every contract of kanapattom made or renewed after the commencement of the Amendment Regulation shall, in addition to other particulars, specify :—*

(a) the name, if any, the description and the extent of the holding : and

(b) the Settlement pattom, the Settlement pattamicham, the jenmivaram and the jenmikaram in respect of the land or each of the several parcels of land comprised in the holding."

VI. For Section 15, sub-section (1), of the said Regulation, the following shall be substituted, namely :

"(1) Every contract of kanapattom made or renewed after the commencement of the Amendment Regulation shall, in addition to other particulars, specify :—

(a) the name, if any, the description and the extent of the holding ;

(*b*) the Pattam assessed on the several parcels of wet land and dry land comprised in the holding, and in the case of garden land, the number of assessable trees thereon, if any ;

(*c*) the amount of the kanom and the interest thereon

(*d*) the michavaram ;

(*e*) the amounts of the customary dues, if any, or the value thereof, and the cess payable annually, in lieu of such customary dues ; and

(*f*) the amount or value of the renewal fees agreed upon and the percentage thereof payable annually as fractional fee in lieu of such renewal fees."

"VI A. *In Section 15, sub-section (II), Clause (a) of the said Regulation, for the words 'michavaram or other dues', the words 'jenmikaram or any portion thereof' shall be substituted.*"

VII. For Sections 16 to 18 of the said Regulation, the following sections shall be substituted, namely :—

" 16. *No summary suit or claim for enforcing payment of any jenmikaram shall be entertained by the Courts under this Regulation unless either the jenmikaram or the renewal fees and customary dues, with reference to which the jenmikaram has to be ascertained, are specified in the kanapattom or its counterpart duly registered or in a decree of a Civil Court obtained in a regular suit between the jenmi and the kudiyan.*"

" 17. (*1*) *Subject to the provisions of this Regulation every jenmi shall be entitled to receive and every kudiyan shall be bound to pay in respect of all land in the latter's holding the jenmikaram due thereon and notwithstanding any contract or usage to the contrary the jenmi shall not be entitled to receive and the kudiyan shall not be bound to pay anything else in respect of the land.*

(*2*) *The jenmikaram shall be payable in such instalments and on such dates as Our Government may, by rules made under this Regulation, prescribe or in the absence of such rules, at or before the close of each Malabar year.*

(*3*) *The jenmikaram or any instalment of jenmikaram payable on any date if it is not paid on or before that date, shall become an arrear on the first day after that date.*

(*4*) *An arrear shall bear simple interest at the rate of nine per cent. per annum when it is payable in money or in paddy.*

(*5*) *When according to the terms of any contract of kanapattom, renewal fees are payabl on the expiry of a specified period and part only of such period has expired before the commencement of the Amendment Regulation an amount which bears to the aggregate amount or value of such renewal fees the same proportion as the expired part of the period bears to the whole period specified in the contract shall be payable by the kudiyan to the jenmi without interest within three years from the commencement of the Amendment Regulation or with interest at six per cent. per annum thereafter within a further period of three years.* "

18. (1) The jenmikaram payable in paddy shall be paid at the jenmi's residence or granary, if any, within the pakuthi which the holding is situated,

(2) Where the jenmi has no residence or granary within that pakuthi, he may notify the kudiyans of the holdings in that pakuthi

that they may produce the paddy for payment at some specified place within that pakuthi at specified hours on specified dates in which case the kudiyan shall make the payment there ; in the absence of any such notification or in case there is none to receive any paddy tendered at the place and time notified, the kudyian shall not be bound to make the payment in paddy.

(3) When the kudiyan is not bound to make payment of any jenmikaram in paddy, he may make the payment of the amount of the jenmikaram in money including the money value at the then current market rate of any portion of the jenmikaram payable in kind either personally to the jenmi or to his agent or remit the same, to the jenmi by Anchal Hundi or Postal Money Order."

VIII. In Section 19 of the said Regulation, for the words "Michavaram or customary dues" the words "any jenmikaram" shall be substituted.

IX. "*Sections 20 to 26 of the said Regulation shall be omitted*".

X. For the heading of Part B of Chapter III of the said Regulation, the following shall be substituted, namely :—

"Part B. Summary recovery and Deposit of jenmikaram."

XI. In Part B of Chapter III of the said Regulation, before Section 27, the following Section shall be inserted, namely :

"26 A. (1) It shall be competent to the jenmi of any holding, without prejudice to any other right of action that he may have to make an application to the Tahsildar of the Taluk in which the holding is situated to recover the arrears of any jenmikaram in respect of that holding :

Provided that the arrears are not more than one year old on the date of the application.

(2) The application shall be in such form and shall contain such particulars as may be prescribed by Our Government and shall be signed and verified by the jenmi in the manner prescribed by the Code of Civil Procedure, 1100, for the signing and verification of plaints.

(3) The applicant shall from time to time pay to the Tahsildar such fees as may be prescribed by Our Government for the several processes that may be necessary for realising the arrears. The applicant shall be entitled to a refund of any portion of such fees that may remain unexpended at the termination of the proceedings.

(4) If the Tahsildar is satisfied that the application has been duly presented, that the arrears are due from the kudiyan, that the applicant is entitled to recover them and that they are not more than one year old on the date of the application, he shall proceed to recover the amount of the arrears and interest and the fees paid under Sub-section (3) by the applicant as if they were an arrear of public revenue due to Our Government and the provision of the Revenue Recovery Regulation, I of 1068 (as amended by Regulations III of 1087, VIII of 1094,

X of 1097 and II of 1099) shall, *mutatis mutandis,* apply to all the proceedings.

(5) (*a*) The amount that is recovered shall be paid by the Tahsildar to the applicant on taking a receipt from him in a form as near as may be to that contemplated by Section 19.

(*b*) A copy of the receipt with the attestation of the Tahsildar shall be given free of cost to the kudiyan if he applies for it.

Explanation—Nothing in this Section shall be deemed to bar the right of civil suit which any aggrieved party may have in law."

XII. For Section 27 of the said Regulation, the following Section shall be substituted namely:—

"27. (*a*) When a jenmi refuses to accept jenmikaram tendered by the kudiyan, or

(*b*) when the kudiyan in any case is doubtful as to the person entitled to receive the jenmikaram,

the kudiyan may make an application to the Court of the District Munsiff having jurisdiction over the place where the holding or any part of it is situated for permission to deposit in such Court the entire amount of the jenmikaram due in respect of the holding till then together with the interest, due thereon under this Regulation."

XIII. In Section 28 of the said Regulation, for clause (*d*), the following shall be substituted, namely:

"(*d*) the *entire* amount of the jenmikaram and the interest due thereon up to date and the market value at the current rate of such items as are payable in kind."

XIV. In Section 29 of the said Regulation,

(*a*) for the word "Michavaram" the word "jenmikaram" shall be substituted in both the places where it occurs, and

(*b*) before the word "market" the words "the current" shall be inserted.

"(c) Omit the words 'or other dues' occurring before the word 'specified' in Section 29 of the said Regulation,

(d) for the words 'or dues' occurring before the words 'being commuted' in the said Section 29, the words 'and the interest, if any due, thereon' shall be substituted."

XV. For Sections 30 and 31 of the said Regulation, the following Sections shall be substituted, namely:—

"30. (1) When such application as is aforesaid is made the Court shall grant the permission applied for and accept the deposit unless it appears on an examination of the applicant that the application has been made without justifying grounds or unless he has failed to pay the fee, if any, chargeable for the issue of the notice hereinafter referred to.

(2) The applicant shall be entitled to a receipt from the Court accepting the deposit and the deposit shall be deemed to be a payment made by the kudiyan to the jenmi in respect of the jenmikaram or arrear due

31. (I) The Court accepting, the deposit shall given notice of the same to every person who is reasonably believed to claim or to be entitled

to the deposit, and may, after hearing such of them as may appear in Court, pay the amount thereof or remit the same less the Hundi or Money Order commission by Anchal Hundi or Postal Money Order to any person appearing to the Court to be entitled to the same or may, if it thinks fit, retain the deposit pending the decision of a competent Civil Court as to the person so entitled.

(2) Nothing in this Section shall affect the right of any party to institute a regular suit in a competent Civil Court to contest the payment, remittance or order made under sub-section (1) or to recover the amount from the party, if any, to whom it has been paid or remitted under Sub-section (1) but, so far as the kudiyan is concerned, the receipt granted under Sub-section (2) of Section 30 shall be deemed a full acquittance in respect of the amount covered by the receipt and shall have the same force and effect as a receipt granted by the person rightfully entitled to receive the amount".

XVI. For the heading of Part C in Chapter III of the said Regulation, the following shall be substituted, namely :—

"Part C. Of the jurisdiction of Courts over petty claims for Jennikaram."

XVII. In Section 38 of the said Regulation, for the words "Michavaram, renewal fees or customary dues", the word "jenmikaram" shall be substituted.

XVIII. In Section 39, Sub-section (1), of the said Regulation, for the words "Michavaram or renewal fees or customary dues", the word "jenmikaram" shall be substituted.

XIX. In Section 40 of the said Regulation, for the figures, words and brackets "568 of the Civil Procedure Regulation (II of 1065)" the following shall be substituted, namely :—

"89 of the Code of Civil Procedure, 1100."

XX. After Section 40 of the said Regulation the following shall be inserted as a Heading namely :—

"Chapter IV Miscellaneous."

"XXI. In Section 44 of the said Regulation, for the words 'the provisions of this Regulation shall not apply to' the words 'no jenmikaram shall be recoverable by any jenmi from' shall be substituted."

XXII. After Section 44 of the said Regulation, the following sections shall be added, namely :—

"45. When the jenmi and the kudiyan cannot agree as to the apportionment as between them of the compensation money awarded or awardable on the acquisition, under the Land Acquisition Regulation, of any land or portion of land comprised in any holding, the portion due to each shall be determined in accordance with the following rules :—

(a) So much of the compensation money as is due to any buildings shall belong entirely to the kudiyan ;

(b) The balance left after deducting the portion of compensation money referred to in rule (a) shall belong to the jenmi and the kudiyan in the

proportion of the jenmikaram charged or chargeable on the land or portion of land and the average annual net produce of the land or portion of land, as the case may be ;

Provided that the capitalised value of the jenmikaram is smaller than such share of the jenmi the capitalised value alone shall belong to the jenmi and all the rest shall belong to the kudiyan.

Explanation :—

1. The capitalised value of any jenmikaram means an amount equal to twenty-five times the amount of the jenmikaram.

2. ' Net produce ' means the surplus remaining after deducting from the gross produce of any land a portion equivalent in value to the cost of cultivation and the Sirkar tax and cesses, if any, and the jenmikaram chargeable on such land and include the values of such surplus.

3. 'Average annual net produce' means the net produce ascertained as derivable on any average for one year, by calculation of the net produce for each year during a period of not less than ten years immediately preceding the date of such ascertainment.

4. When a portion alone of a land is acquired, the portion of jenmikaram chargeable on that land shall be ascertained as if the land had been divided and the jenmikaram of the portion of land acquired shall cease to be payable to the jenmi.

46. Our Government may, for the purposes of this Regulation and after following the procedure prescribed "*in accordance with the rules to be passed by Our Government after previous publication*" fixed the commutation rate for paddy or other commodities payable by the kudiyan and publish the same in Our Government Gazette.

47. (1) Notwithstanding anything contained in the First Schedule annexed to the Travancore Limitation Regulation, no suit for any arrear of jenmikaram or the interest or penalty due thereon shall be entertained by any Civil Court unless instituted within six years from the date of the jenmikaram becoming an arrear :

Provided however that suits for jenmikaram which are barred by reason alone of the above provision on the date of the commencement of the Amendment Regulation may be instituted within two years from that date.

(2) The Explanation to Article 119 of the First Schedule to the Travancore Limitation Regulation shall be deemed to stand repealed."

Supplement F.

TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

STANDING FINANCE COMMITTEE

Friday, the 15th April, 1932/3rd Medam, 1107.

The first meeting of the Standing Finance Committee, 1107, was held in the Dewan's Room, Public Offices, at 2 P. M. on Friday the 15th April 1932, with T. Austin Esquire, I. C. S., Barrister-at-Law, Dewan, in the Chair. The following members were present :—

1. A. Thanu Pillai, Esq., B. A., B. L.,
2. S. Krishna Pillai Esq., B. A., B. L.,
3. K. Narayanaperumal Nadar Esq., B. A.,
4. K. George Esq., B. A., Chief Secretary to Government.,
5. R. Nilacanta Pillai Esq., B. A., B. L., Financial Secretary to Government.,
6. P. Visvanatha Aiyar Esq., B. A., Secretary to Government (Convener).

The only proposal for consideration was the provision of an additional allotment of Rs. 2,000 under "15. C. Legislative Council—Contingencies." The expenditure incurred on account of putting up temporary sheds in the premises of the Jubilee Town Hall in connection with the meetings of the Council held in 1105 and 1106 could be adjusted only from the allotment under "15 C—Contingencies" in the Budget for 1107. The balance available being insufficient for meeting the expenditure for the remaining portion of 1107, there was need for an additional allotment. Messrs. A. Thanu Pillai and S. Krishna Pillai objected to the additional provision and suggested that, instead of putting up temporary sheds in connection with every meeting, it would be better to put up permanent sheds. The Chief Secretary said that the premises of the Jubilee Hall being not extensive it would be unsightly to have permanent sheds there. The problem of putting up out-houses would be solved when the proposal for a new Council Chamber materialised. The Financial Secretary said that there was no need for the additional provision if the cuts already ordered on his recommendation were restored. It was eventually decided that there was no need for a demand for supplementary grant but that the cuts already ordered would be restored.

The meeting dispersed at 2-10 P. M.

P. VISVANATHA AIYAR,
Convener, Standing Finance Committee.

SUPPLEMENT.

THE WIDTH OF TYRES BILL.

Preamble.

Whereas great damage is caused to the roads by the carrying of heavy weights in springless carts with narrow wheels and whereas it is desirable to regulate the width of tyres of the wheels and the loads that may be carried in the carts;

It is hereby enacted as follows :—

Short title, commencement and extent.

1. (1) This Regulation may be called the Width of Tyres Regulation, 110 ;

(2) It shall come into force on such date and shall apply to such localities as may, from time to time, be notified in that behalf by Our Government in Our Government Gazette. Such notifications may likewise be withdrawn or modified by Our Government.

Definitions.

2. In this Regulation unless there is something repugnant in the subject or context,—

(i) "cart" means any vehicle which is drawn or intended to be drawn by any animal and the body of which is not rested on springs fixed to the axle and the tyres of the wheels of which are made of metal;

(ii) "notified road" means any road notified by Our Government as such for the purposes of this Regulation;

(iii) "in the manner prescribed" means in the manner prescribed by rules made by Our Government under this Regulation.

No cart to be drawn, driven etc., on notified road unless registered.

3. No cart shall be drawn, driven, pushed, or otherwise used or allowed to remain on any notified road unless it has been registered and bears the mark of registration in the prescribed manner except for the purpose of taking it to a place of registration.

Explanation :—A cart the prescribed mark of registration on which has been obliterated shall be deemed to be a cart not registered but it may be registered again in the prescribed manner.

Registration of carts.

4. (1) Subject to the provision of sub-section (2), no cart shall be so registered unless the tyre of each wheel of the cart,—

(*a*) is not less than two inches in width, and

(*b*) has an even bearing surface across its full width.

(2) The provisions of sub-section (1) shall not apply, for a period of one year from the date on which this Regulation comes into force, to the carts that are in existence on the date of passing of this Regulation and have been registered before a date fixed by Our Government in that behalf.

Explanation.—On the expiry of the period of one year mentioned in sub-section (2), the provisions of sub-section (1) shall apply also to the carts exempted under sub-section (1) and the registration of such carts already effected shall be deemed to have become void. They may, however, be registered again subject to the provisions of sub-section (1).

5. No person shall carry or cause or permit to be carried, on any notified road, in any cart a weight which is greater, (including the weight of the cart) than that indicated below, namely:—

Weight permissible in carts.

(i) one-fourth of a ton per inch width of the tyre if the notfied road is a metalled road,

(ii) one-sixth of a ton per inch width of the tyre if the notified road is a gravelled road,

(iii) one-eighth of a ton per inch width of the tyre if the notified road is any other kind of road.

6. Any person violating or abetting the violation of, the provisions of Section 3 or Section 5 shall be liable on conviction before a Magistrate to a fine not exceeding fifty rupees and in case he is convicted again for a similar offence to a fine not exceeding five hundred rupees.

Penalty.

7. (1) In any case of a complaint or charge laid before a Magistrate for an offence against Section 3 or Section 5, it shall be lawful for the Magistrate, whether there be a conviction or not, to order, if he thinks fit to do so, the seizure of the cart in respect of which the complaint or charge is laid and its forfeiture to Our Government if he is satisfied that in the use of the cart the provisions of Section 3 or Section 5 have been contravened.

Seizure of carts.

(2) For the purposes of appeal and revision the order shall be deemed to be a conviction.

8. (1) Our Government may make rules generally for carrying out the purposes of this Regulation.

Government to make rules.

(2) In particular and without prejudice to the generality of the foregoing power rules may prescribe—

(*a*) the places where, the officers by whom, and the method in which the carts may be registered,

(*b*) the fees payable for registration, and

(*c*) the manner of ascertaining the weight of the cart and the load therein.

STATEMENT OF OBJECTS AND REASONS.

It has been brought to the notice of Government that increasing damage is caused to the roads in the State by springless carts with narrow wheels being driven over them and also by excessive weight, weight disproportionate to the width of the tyres, being carried in such carts. It is proposed therefore, by this Bill, to regulate the width of the tyres of the springless carts and also to fix the maximum weight of the loads that may be carried in such carts. In order to enable sufficient check being exercised for these purposes, the carts are proposed to be brought under registration. As punishment for the violation of the provisions of this measure, a fine is proposed, and the offending carts are also made liable to seizure and forfeiture to Government at the discretion of the court.

Supplement A.

The Travancore Provident Insurance Societies Bill.

CONTENTS.

PREAMBLE.

Clauses. *Preliminary.*

1. Short title and extent.
2. Definitions.
3. Application of Regulation.

General.

4. Insurable interest.
5. Provision to be made by rules.
6. Registration of Provident Insurance Societies.
7. Unregistered society not to receive premium or contribution.
8. Amendment of rules.
9. Right to supply of copies of rules.
10. Register of Members.
11. Publication of authorized, subscribed and paid-up capital.
12. Office.
13. Revenue account and balance sheet.
14. Delivery and publication of revenue account, etc.,
15. Record of insurance effected on life other than life of person insuring.
16. Inspection of books.
17. Inquiry.
18. Cancellation of registry.
19. Liquidators.

Appeals

20. Appeals.

Offences and Procedure.

21. Penalty for non-compliance with Regulation.
22. Penalty for falsifying documents.
23. Cognizance of offences.

Rules.

24. Rules.

Miscellaneous.

25. Saving of existing policies.
26. Power of Our Government to exempt from provisions of the Regulation.

THE PRAVANCORE PROVIDENT INSURANCE SOCIETIES BILL.

A Regulation to provide for the regulation of Provident Insurance Societies.

WHEREAS it is expedient to provide for the Regulation of Provident Insurance Societies ; It is hereby enacted as follows :—

Preliminary.

Short title and extent. 1. (1) This Regulation may be called "The Travancore Provident Insurance Societies Regulation of 110 " ; and

(2) It shall extend to the whole of Travancore.

Definitions. 2. In the Regulation, unless there is anything repugnant in the subject or context:—

(1) "Court" means the principal Civil Court of original jurisdiction in a district:

(2) "financial year" means each period of twelve months at the end of which the balance of the accounts of any Provident Insurance Society is struck, or, if no such balance is struck, then the calendar year :

(3) "life assurance business" means the issue of, or the undertaking of liability under, policies of assurance upon human life, or the granting of annuities upon human life :

(4) "policy of assurance on human life" means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life :

(5) "policy-holder" means the person who for the time being is the legal holder of the policy for securing the contract with the Provident Insurance Society :

(6) where a Provident Insurance Society grants annuities upon human life, "policy" includes the instrument evidencing the contract to pay such an annuity, and "policy-holder" includes annuitant :

(7) "prescribed" means prescribed by rules made under this Regulation :

(8) "Provident Insurance Society" means any person who, or body of persons whether corporate or unincorporate which, receives premiums or contributions for insuring money to be paid on the birth, marriage or death of any person or on the happening of such other contingency or class of contingency as may be prescribed : and

(9) "Registrar" means any person who may be appointd th is our Government to perform the duties of the Registrar under by Regulation.

3. Nothing in this Regulation shall apply to any Provident Insurance Society carrying on life assurance business, which undertakes to pay on any life assurance policy or series of life assurance policies on any one life, an annuity exceeding fifty rupees or a gross sum exceeding five hundred rupees, or which receives or undertakes to receive by way of premium or contribution for life assurance on any one life any sum exceeding two hundred and fifty rupees where the said premiums or contributions are payable for one year o" a limited number of years, or exceeding twenty five rupees in a .y one year where the premiums or contributions are unlimited in number and terminable on death or the occurrence of an uncertain event:

Application of Regulation.

Provided that, in determining whether this Regulation applies to any Provident Insurance Society carrying on life insurance business, contracts entered into by the society before the commencement of this Regulation shall not be taken into consideration.

General.

4. No Provident Insurance Society shall receive any premium or contribution for insuring money to be paid on the death of any person other than the person paying such premium or contribution or the wife, husband, child, parent, brother or sister of such person.

Insurable interest.

Provision to be made by rules.

5. Every Provident Insurance Society shall, by its rules,—

(*a*) specify the object, name and registered office of the society ;

(*b*) prescribe the proportion of the annual income of the society derived from premiums or contributions which may be disbursed for the expenses of management of the society ;

(*c*) in the case of a society which by rule or practice divides any part of the funds thereof, provide for the payment of all debts due by the society existing at the time of division before any such division has taken place ; and

(*d*) provide for any other matters which may be prescribed.

6. (1) Every Provident Insurance Society shall, within three months from the commencement of this Regulation, or, if established after the commencement of this Regulation, before it receives any premium or contribution, apply to the Registrar for registration under this Regulation, and shall deliver to him a copy of the rules of the society.

Registration of Provident Insurance Societies.

(2) The Registrar shall, on being satisfied that such rules comply with the provisions of this Regulation acknowledge the receipt of the rules and register the society and its rules.

(3) If the Registrar is not satisfied that the rules or any of them comply with the provisions of this Regulation, he shall send to the Provident Insurance Society a notice by Post or Anchal stating in what respect such rule or rules is or are not in accordance with the provisions of this Regulation and calling upon such society to deliver to him an amended rule or rules within sixty days.

(4) On receipt of a notice under sub-section (3), the Provident Insurance Society may within sixty days deliver to the Registrar an amended rule or rules in conformity with this Regulation, and the Registrar shall thereupon acknowledge the receipt of the rules and register the society and its rules as hereinbefore provided.

Unregistered society not to receive premium or contribution.

7. No Provident Insurance Society shall receive any premium or contribution, unless it is registered in accordance with the provisions of this Regulation:

Provided that this prohibition shall only apply to a society established before the commencement of this Regulation :—

(*a*) When such society has applied for registration in accordance with the provisions of Section 6, sub-section (1)-from the date of the order of the Registrar refusing registry,

(*b*) When such society has not applied, as aforesaid after three months from the commencement of this Regulation.

Amendment of rules.

8. (1) No amendment of any rule of a Provident Insurance Society shall be valid until the same has been registered under this Regulation for which purpose a copy of the amended rule shall be sent to the Registrar.

(2) The Registrar shall, on being satisfied that any amendment of a rule is not contrary to the provisions of this Regulation, issue to the society an acknowledgment of the registration of the same.

Right to supply of copies of rules

9. Every Provident Insurance Society shall, on demand, deliver free of cost to any member of the society a copy of the rules of the society, and to any person other than a member a copy of such rules on the payment of a sum not exceeding one rupee.

Register of members.

10. Every Provident Insurance Society which is not registered under the Travancore Companies Regulation, 1092, shall cause to be kept in the prescribed form a register of the names and addresses of its members.

11. Where any notice, advertisement or other official publication of a Provident Insurance Society contains a statement of the amount of the authorized capital of the society, the publication shall also contain a statement of the amount of the capital which has been subscribed and the amount paid up.

Publication of authorized, subscribed and paid-up capital.

12. Every Provident Insurance Society which is not registered under the Travancore Companies Regulation, 1092, shall have an office on the outside of which it shall display and keep displayed its name in a conspicuous position, in legible letters, to which all communications and notices may be addressed, and shall give notice to the Registrar of the situation of such office and of any change therein.

Office.

13. Every Provident Insurance Society shall, at the expiration of each financial year, prepare a revenue account and balance sheet in the prescribed form and verified in the prescribed manner, and shall cause them to be audited by an auditor possessing the prescribed qualifications.

Revenue account and balance sheet.

14. Every Provident Insurance Society shall, within six months of the expiration of each financial year, deliver to the Registrar the revenue account and balance sheet requird by Section 13, and shall publish them in the prescribed manner.

Delivery and publication of revenue account, etc.

15. Every Provident Insurance Society shall maintain in the prescribed form a record of every insurance effected on a life other than the life of the person insuring, and shall deliver a copy of such record to the Registrar, together with the balance sheet and revenue account.

Record of insurances effected on life other than life of person insuring.

16. The books of every Provident Insurance Society shall at all reasonable hours be open to inspection by the Registrar, or by any person appointed by him in this behalf or by any member of the society.

Inspection of books.

17. (1) The Registrar may, if he thinks fit, of his own motion, and shall, upon the application of ten or more members or policy-holders of a Provident Insurance Society, hold or direct an inquiry to be held by an actuary possessing the prescribed qualifications appointed by him by order in writing in this behalf as to the solvency of any Provident Insurance Society or as to the manner in which the business of any such society is conducted.

Inquiry.

(2) An application to the Registrar under sub-section (1) shall be supported by such evidence as the Registrar may require for the purpose of showing that the applicants have good reason for applying for an inquiry.

(3) The Registrar may require the applicants under sub-section (1) to give such security as he thinks fit for the costs of the proposed inquiry before such an inquiry is held.

(4) All expenses of, and incidental to, or preliminary to, any inquiry made on application as aforesaid shall be defrayed by the applicants therefor or out of the funds of the society or by the members or officers of the society in such proportions as the Registrar may direct by order in writing.

(5) An order made under sub-section (4) shall on application be enforced by any Civil Court having local jurisdiction in the same manner as a decree of such Court.

(6) A person holding an inquiry under this section shall have access to all the books and documents of the society, and shall have power to call upon the society and the officers of the society to furnish such statements and other information in relation to its business as he may direct.

(7) The result of the inquiry shall be communicated to the society and to the applicants (if any).

Cancellation of registry.

18. When an inquiry has been held under section 17, the Registrar may, if he is satisfied –

(*a*) that the society is insolvent, or must necessarily become so, or

(*b*) that the business of any such society is conducted fraudulently or not in accordance with the rules thereof,

after giving previous notice in writing in such manner as he thinks fit specifying briefly the grounds of the proposed cancellation, cancel the registry of the society.

Liquidators.

19. (1) Where the registry of a Provident Insurance Society is cancelled in accordance with the provisions of section 18, the Registrar may appoint a liquidator to wind up the society.

(2) A liquidator appointed under sub-section (1) shall have power—

(*a*) to institute or defend any legal proceedings on behalf of the society by his name of office ;

(*b*) to determine the contribution to be made by members of the society, respectively, to the assets of the society ;

(c) to investigate all claims against the society and to decide questions of priority arising between claimants ;

(d) to determine by what persons and in what proportions the costs of the liquidation are to be borne ; and

(e) to give such directions in regard to the collection and distribution of the assets of the society as may appear to him to be necessary for winding up the affairs of the society.

(3) Subject to any rules of procedure made under this Regulation, a liquidator appointed under this section shall, in so far as such powers are necessary to carry out the purposes of this section, have power to summon and enforce the attendance of witnesses and to compel the production of documents by the same means and as far as may be in the same manner as is provided in the case of a Civil Court by the Civil Procedure Code, 1100.

(4) Orders made under this section shall on application be enforced as follows :—

(a) when made by a liquidator, by any Civil Court having local jurisdiction in the same manner as a decree of such Court ;

(b) when made by the Court on appeal, in the same manner as a decree of the Court.

Appeals.

Appeals.

20. (1) An appeal shall lie to the Court within thirty days—

(a) from an order of the Registrar refusing to register a Provident Insurance Society or any rules or amendments of rules of such society ;

(b) from an order of the Registrar cancelling the registry of a society ;

(c) from an order made by a liquidator appointed under section 19.

(2) Save as hereinbefore expressly provided, orders made under this Regulation shall be final and conclusive.

Offences and Procedure.

Penalty for non-compliance with Regulation.

21. Any Provident Insurance Society which makes default in complying with any of the requirements of this Regulation, and every director, manager or secretary or other officer or agent of the society, who is knowingly a party to the default, shall be punishable with fine which may extend to five hundred rupees, or in the case of continuing default, with fine which may extend to two hundred and fifty rupees for every day during which the default continues.

22. If any register, account, balance-sheet or other document required by this Regulation is false in any particular to the knowledge of any person who signs it, such person shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Penalty for falsifying documents.

23. No Court inferior to that of a Magistrate of the first class shall try any offence against this Regulation.

Cognizance of offences.

Rules.

24. (1) Our Government may make rules to carry out the purposes of this Regulation.

Rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe—

(*a*) contingencies or classes of contingencies and thereby extend the application of this Regulation to the receipt of premiums or contributions for insuring money to be paid on the happening of such contingencies or class of contingencies ;

(*b*) the matters in respect of which a society shall make rules;

(*c*) the form of any account, return or register required by this Regulation, and the manner in which any such account, return or register shall be verified ;

(*d*) the fees to be charged for matters transacted under this Regulation, and the manner in which the same are to be collected ;

(*e*) the qualifications of auditors and actuaries under this Regulation ;

(*f*) the manner in which any document required to be published by this Regulation shall be published ; and

(*g*) the procedure to be followed by liquidators under this Regulation.

(3) The power to make rules conferred by this Regulation is subject to the condition of the rules being made after previous publication.

(4) All rules made under this Regulation shall be published in Our Government Gazette, and on such publication, shall have effect as if enacted herein.

Miscellaneous.

25. No policy effected before the commencement of this Regulation with a Provident Insurance Society shall be deemed to be void by reason only that the nsurance is not authorized by this Regulation.

Saving of existing policies.

26. Our Government may, by notification in Our Government Gazette, and subject to such conditions and restrictions as they think fit, exempt any Provident Insurance Society or class of Provident Insurance Societies from all or any of the provisions of this Regulation.

Power of Our Government to exempt from provisions of the Regulation.

Statement of Objects and Reasons.

The object of this Bill is to provide for the better control of Provident Insurance Societies, not being Life Assurance Companies proper, which undertake insurance on births, marriages or deaths. Such societies are subject to special legislation in British India, by the Indian Provident Insurance Societies Act, 1912 (V of 1912). The existence of such societies in Travancore has been brought to the notice of Government, and it is considered that special legislation should be introduced in Travancore too to control their operations in the interest of the public. This Bill has accordingly been prepared on the lines of the British Indian Act referred to.

2. The main provisions of the Bill are designed to secure (1) that all societies of the nature of those defined in the Bill shall be registered, (2) that full publicity shall be given to the proceedings of the societies and (3) that Government shall be empowered to deal effectively with societies which are clearly fraudulent or insolvent.

Supplement B.

The Travancore Life Assurance Companies Bill.

CONTENTS.

PREAMBLE.

Clauses. *Preliminary.*

1. Short title and extent.
2. Definitions.
3. Companies to which Regulation applies.

Deposits.

4. Deposits.

Accounts and Documents.

5. Separation of funds.
6. Appropriation of life assurance fund.
7. Accounts and balance-sheets.
8. Actuarial reports and abstracts.
9. Actuarial abstracts, in case of.
10. Statement of life assurance business.
11. Deposit of accounts, etc , with Our Government.
12. Deposit of report.
13. Exemption from certain provisions of Regulation I of 1092.
14. Right of share-holders, etc., to copies of accounts, etc.
15. Audit of accounts.
16. List of share-holders.
17. Deed of settlement.
18. Publication of authorized as well as subscribed and paid-up capital.
19. Requirements as to companies established outside Travancore.

Amalgamation or Transfer.

20. Amalgamation or transfer.
21. Statement in case of amalgamation or transfer.

Winding up.

22. Special provisions as to winding up of assurance companies.
23. Winding up of subsidiary companies.
24. Valuation of annuities and policies.
25. Rules of valuation.
26. Power to Court to reduce contracts.

Clauses.

Special Provisions relating to Accounts and Documents.

27. Application of surplus assets in liquidation.
28. Custody and inspection of documents deposited with Our Government.
29. Accounts, etc., to be published.
30. Evidence of documents.
31. Evidence of copies of documents.
32. Alteration of forms.

Companies carrying on business in the United Kingdom or British India.

33. Certain companies may apply to be declared companies which carry on life assurance business in the United Kingdom or British India.
34. Application of the Regulation to companies which carry on life assurance business in the United Kingdom or British India.

Penalties and Procedure.

35. Penalty for non-compliance with Regulation.
36. Penalty for falsifying statements, etc.
37. Cognisance of offences.

Miscellaneous.

38. Appointment of Inspectors.
39. Service of notices
40. Powers to make rules.
41. Power of Our Government to exempt from the provisions of the Regulation.

THE FIRST SCHEDULE.—REVENUE ACCOUNTS

THE SECOND SCHEDULE.—PROFIT AND LOSS ACCOUNT.

THE THIRD SCHEDULE.—BALANCE SHEET.

THE FOURTH SCHEDULE—STATEMENT RESPECTING VALUATION OF LIABILITIES.

THE FIFTH SCHEDULE.—STATEMENT OF LIFE ASSURANCE AND ANNUITY BUSINESS.

THE SIXTH SCHEDULE:—RULES FOR VALUING ANNUITIES, ETC.

The Travancore Life Assurance Companies Bill.

A Regulation to provide for the Regulation of Life Assurance Companies.

WHEREAS it is expedient to provide for the Regulation of Life Assurance Companies ; It is hereby enacted as follows :—

Preliminary.

1. (1) This Regulation may be called " The Travancore Life Assurance Companies Regulation of 110 ."

[Short title and extent.] (2) It extends to the whole of Travancore.

2. In this Regulation unless there is anything repugnant in the subject or context,—

Definitions. (1) " actuary " means an actuary possessing such qualifications as may be prescribed by rules made by Our Government ;

(2) " chairman " means the person for the time being presiding over the board of directors or other governing body of a life assurance company ;

(3) " Court " means the Principal Civil Court of original jurisdiction in a district ;

(4) " financial year " means each period of twelve months at the end of which the balance of the accounts of the life assurance company is struck, or, if no such balance is struck, then the calendar year ;

(5) "life assurance business" means the issue of, or the undertaking of liability under, policies of assurance upon human life, or the granting of annuities upon human life;

(6) "policy of assurance on human life" means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life or any instrument evidencing a contract which is subject to payments of premiums for a term dependent on human life;

(7) "policy-holder" means the person who for the time being is the legal holder of the policy for securing the contract with the Life Assurance Company;

(8) where a company grants annuities upon human life, "policy" includes the instrument evidencing the contract to pay such an annuity, and "policy-holder" includes annuitant; and

(9) "Registrar" means any person who may be appointed by Our Government to perform the duties of the Registrar under this Regulation.

Companies to which Regulation applies.

3. Save as hereafter expressly provided, this Regulation shall apply to all persons or bodies of persons, whether corporate or unincorporate (which persons and bodies of persons are hereafter referred to as life assurance companies), whether established before or after the commencement of this Regulation and whether established within or without Travancore, who carry on life assurance business within Travancore.

Explanation.—A company registered under the Travancore Companies Regulation, 1092 which carries on life assurance business in any part of the world shall for the purposes of this section be deemed to be a company carrying on such business within Travancore.

Exception.—Nothing in this Regulation shall apply to any society to which the Provident Insurance Societies Regulation—applies or to any Fund which Our Government may, by notification in Our Government Gazette exempt from the operation of this Regulation.

Deposits.

Deposits.

4. (1) Every life assurance company shall, if established before the commencement of this Regulation within one year from such commencement, or, if established after such commencement, before it commences to carry on the business of life assurance, deposit and keep deposited with the Chief Account Officer for and on behalf of Our Government, Government securities, as defined by the Travancore Government Securities Regulation III of 1099 of the face value of twenty-five thousand rupees or of a face value equal to one-third of the income derived from life assurance business as shown in the revenue account for the last financial year, whichever is greater; and, until the company keeps deposited securities of the face value of two lakhs of rupees, shall annually deposit and keep deposited in like manner like securities of a face value—

(*a*) equal to one-third of the income derived from life assurance business as shown in the revenue account for the last financial year, until the face value of the securities deposited exceeds one lakh of rupees;

(*b*) and thereafter equal in amount to one-third of the increase to the life assurance fund as shown in the revenue account for the last financial year:

Provided that a company may at any time deposit securities of a face value of two lakhs of rupees or make up its deposit of securities to that value.

(2) The interest accruing due on the securities deposited under sub-section (1) shall be paid to the company.

(3) The deposit may be made by the subscribers of the memorandum of association of a company or any of them, in the name of a proposed company and, upon the incorporation of the company, shall be deemed to have been made by, and to be part of the assets of, the company, and the Registrar of Joint Stock Companies shall not issue a certificate of incorporation of the company under the Travancore Companies Regulation, 1092 until the deposit has been made.

(4) The deposit shall be deemed to form part of the life assurance fund of the company.

Accounts and Documents.

Separation of funds.

5. In the case of a life assurance company transacting other business besides that of life assurance, a separate account shall be kept of all receipts in respect of the life assurance business, and the said receipts shall be carried to and form a separate fund to be called the life assurance fund.

Explanation.—Nothing in this section shall be deemed to require any life assurance fund to be invested in separate investments from any other fund, but a separate balance-sheet as prescribed under Section 7 shall be kept in respect of the life assurance fund.

Exception.—Nothing in this section shall apply to a life assurance company established before the commencement of this Regulation by the terms of whose deed of settlement the whole of the profits of all the business carried on by the company are paid exclusively to the life policy-holders, and on the face of whose life policies the liability of the life assurance fund in respect of the other business distinctly appears.

Appropriation of life assurance fund.

6. The life assurance fund shall be as absolutely the security of the life policy-holders as though it belonged to a company carrying on no other business than life assurance business, and shall not be liable for any contracts of the company for which it would not have been liable had the business of the company been only that of life assurance, and shall not be applied, directly or indirectly, for any purposes other than those of life assurance.

Exception.—Nothing in this section shall affect the liability of the life assurance fund, in the case of a company established before the commencement of this Regulation for contracts entered into by the company before such commencement.

Accounts and balance-sheet.

7. (1) Every life assurance company shall, at the expiration of each financial year, prepare—

(*a*) a revenue account for the year in the form or forms set forth in the first Schedule and applicable to the class or classes of business carried on by the company;

(*b*) a profit and loss account in the form set forth in the Second Schedule, except where the company carries on life assurance business only and no other business;

(*c*) a balance-sheet or balance-sheets in the form or forms set forth in the Third Schedule;

(*d*) a statement containing the name of every person who during the year was a member of the board of directors or other governing body or was manager or secretary or held any similar office by whatever name called.

[“(*e*) a statement showing—

(A) as regards new policies of life assurance in respect of which a premium has been paid in the year of account,—

(*i*) the number of policies,

(*ii*) the sums assured,

(*iii*) the amount received by way of single premiums (including all premiums paid at the outset where no subsequent premium is payable), and

(*iv*) the amount of yearly renewal premium income;

(B) as regards total life assurance business, —

(*i*) the number of policies in force at the end of the year of account,

(*ii*) the sum assured (including revisionary bonus additions thereto) under policies in force at the end of the year of account, and

(*iii*) the premium income for which credit is taken in the revenue account;

(C) as regards claims, the amount of the claims paid in the year of account under policies effected in Travancore,

(*a*) to claimants in Travancore ? and

(*b*) to claimants outside Travancore.

(*f*) a statement showing, in such forms as our Government may prescribe, a classified summary of the investments of the company in Travancore in Government securities, and in Travancore concerns and the other Travancore assets held by the company.”

(2) For the purposes of clause (e) of sub-section (1), all items required to be stated shall be net amounts after deduction of the re-insurances of the company's risks, and for the purposes of sub-clauses (A) and (B) of that clause—

(a) the statement shall show separately the numbers and amounts in respect of policies effected in, and policies effected outside Travancore;

(b) where a sum assured is payable periodically, whether by way of an annuity or otherwise, it shall be stated separately from lump sum payments ; and

(c) policies of assurance upon the lives of a group of persons whereby sums assured are payable in respect of several persons included in the group shall be excluded from the statement and be shown in a separate statement containing the like particulars.]

Actuarial reports and abstract

8. (1) Every life assurance company shall once in every five years, or at such shorter intervals as may be prescribed by the instrument constituting the company, or by its regulations or by-laws, cause an investigation to be made into its financial condition, including a valuation of its liabilities, by an actuary and shall cause an abstract of the report of such actuary to be made in the form set forth in the Fourth Schedule.

(2) The provisions of sub-section (1) regarding the making of an abstract shall also apply whenever at any other time an investigation into the financial condition of a life assurance company is made with a view to the distribution of profits, or whenever the results of any such investigation are made public.

Actuarial abstract in case of mutual company.

9. In the case of a mutual life assurance company whose profits are allocated to members wholly or mainly by annual abatements of premium, the abstract of the report of the actuary on the financial condition of the company prepared in accordance with the Fourth Schedule, may, notwithstanding anything in section 8, be made and returned at intervals not exceeding five years : Provided that, where such return is not made annually, it shall include particulars as to the rates of abatement of premiums applicable to different classes or series of assurances allowed in each year during the period which has elapsed since the previous return under the Fourth Schedule.

Statement of life assurance business.

10. Every life assurance company shall, within three years from the commencement of this Regulation and thereafter at the date to which the accounts of the company are made up for the purposes of

the investigation prescribed by section 8, prepare a statement of its assurance business, in the form set forth in the Fifth Schedule: Provided that, if the investigation is made annually by any company, the company may prepare such a statement at any time, so that it be made at least once in every five years.

Deposit of accounts, etc., with Our Government.

11. (1) Every account, balance-sheet, abstract or statement hereinbefore required to be made shall be printed, and four copies thereof, one of which shall be signed by the chairman and two Directors of the company, and by the principal officer of the company, and if the company has a managing Director, by the Managing Director, shall be deposited with Our Government within six months in the case of accounts and balance-sheets required by section 7, and within one year in other cases after the close of the period to which the account, balance-sheet, abstract or statement relates: Provided that, if in any case it is made to appear to our Government that the circumstances are such that a longer period should be allowed, they may extend that period by such period as they may think fit.

(2) Our Government shall consider any document deposited in accordance with the provisions of sub section (1) and, if any such document appears to our Government to be inaccurate or defective in any respect, Our Government may call upon the company to furnish a further statement correcting any such inaccuracies or supplying any such deficiencies.

Deposit of report.

12. There shall be deposited with every revenue-account and balance-sheet of a life assurance company every report on the affairs of the company submitted to the shareholders or policy-holders of the company in respect of the financial year to which the account and balance-sheet relate.

Exemption from certain provisions of Regulation I of 1092.

13. Where a life assurance company registered under the Travancore Companies Regulation 1092 in any year deposits its accounts and balance-sheet in accordance with the provisions of section 11, the company may, at the same time, send to the Registrar of Joint Stock Companies a copy of such accounts and balance-sheet, and where such copy is so sent, it shall not be necessary for the company to file a balance-sheet with the Registrar of Joint Stock Companies as required by section 138 of the Travancore Companies Regulation, 1092, and the copy of the accounts and balance-sheet so sent shall be dealt with in all respects as if it were a balance-sheet filed in accordance with that section.

14. A printed copy of the accounts, balance-sheet, abstract or statement last deposited shall, on the application of any share-holder or policy-holder of the company, be forwarded to him by the company by post or otherwise.

Right of share-holders etc., to copies of accounts, etc.

15. The accounts of every life assurance company shall be audited annually in such manner as our Government may prescribe.

Audit of accounts.

16. Every life assurance company which is not registered under the Travancore Companies Regulation 1092, shall keep a list of the names and addresses of its share-holders, and shall, on the application of any share-holder or policy-holder of the company, furnish to him a copy of such list on payment of a sum not exceeding two annas for every hundred words required to be copied.

List of share-holders.

17. Every life assurance company which is not registered under the Travancore Companies Regulation 1092, shall cause a sufficient number of copies of its deed of settlement or other instrument constituting the company to be printed, and shall, on the application of any share-holder or policy-holder of the company, furnish to him a copy of such deed of settlement or other instrument on payment of a sum not exceeding one rupee.

Deed of settlement.

18. Where any notice, advertisement or other official publication of a life assurance company contains a statement of the amount of the authorised capital of the company, the publication shall also contain a statement of the amount of the capital which has been subscribed and the amount paid up.

Publication of authorised as well as subscribed and paid-up capital.

19. (1) Every life assurance company, constituted outside Travancore which establishes a place of business within Travancore or appoints an agent in Travancore with the object of obtaining life assurance business, shall, within three months from the establishment of the place of business or the appointment of such agent, file with the Registrar—

Requirements as to companies established outside.

(a) a certified copy of the charter, statutes or memorandum and articles of the company, or other instrument constituting or defining the constitution of the company, and, if the instrument is not written in the English language, a certified translation thereof ;

(b) a list of the directors of the company ;

(c) the names and addresses of some one or more persons resident in Travancore authorised to accept on behalf of the

company service of process and any notices required to be served on the company ;

and, in the event of any alteration being made in any such instrument or in the list of directors or in the names and addresses of such persons as aforesaid, the company shall, within such time as Our Government may prescribe, file with the Registrar a notice of the alteration.

(2) Any process or notice required to be served on the company shall be sufficiently served if addressed to any person whose name has been so filed as aforesaid and left at or sent by post to the address which has been so filed.

(3) There shall be paid to the Registrar for registering any document, required by this section to be filed, a fee of five rupees or such smaller fee as our Government may prescribe.

Amalgamation or Transfer.

Amalgamation or transfer.

20. (1) Where it is intended to amalgamate two or more life assurance companies, or to transfer the life assurance business of one company to another, the directors of any one or more of such companies may apply to the Court, by petition, to sanction the proposed arrangement.

(2) Before any such application is made to the Court—

(*a*) notice of the intention to make the application shall be published in our *Government Gazette* at least two months before the application is made ;

(*b*) a statement of the nature of the amalgamation or transfer, as the case may be, together with an abstract containing the material facts embodied in the agreement or deed under which the amalgamation or transfer is proposed to be effected, and copies of the actuarial or other reports upon which the agreement or deed is founded, including a report by an independent actuary, shall, unless the Court otherwise directs, be transmitted to each policy-holder or each company ; and

(*c*) the agreement or deed under which the amalgamation or transfer is effected shall be open for the inspection of the policy-holders and share-holders at the offices of the companies for a period of fifteen days after the last publication of the notice.

(3) The Court, after hearing the directors and other persons whom it considers entitled to be heard upon the petition, may sanction the arrangement if it is satisfied that no sufficient objection to the arrangement has been established.

(4) The Court shall not sanction the amalgamation or transfer in any case in which it appears in the Court that the life policy-holders representing one tenth or more of the total amount assured in any company which it is proposed to amalgamate, or in any company the business of which it is proposed to transfer, dissent from the amalgamation or transfer.

(5) No life assurance company shall amalgamate with another, or transfer its business to another unless the amalgamation or transfer is sanctioned by the Court in accordance with this section.

Statement in case of amalgamation or transfer.

21. Where an amalgamation takes place between any life assurance companies, or where any life assurance business of one such company is transferred to another company, the combined company or the purchasing company, as the case may be, shall, within one month from the date of the completion of the amalgamation or transfer, deposit with our Government—

(a) certified copies of statements of the assets and liabilities of the companies concerned in such amalgamation or transfer, together with a statement of the nature and terms of the amalgamation or transfer; and

(b) a certified copy of the agreement or deed under which the amalgamation or transfer is affected; and

(c) certified copies of the actuarial or other reports upon which that agreement or deed is founded; and

(d) a declaration under the hand of the chairman of each company, and the principal officer of each company, that to the best of their belief every payment made or to be made to any person whatsoever on account of the amalgamation or transfer is therein fully set forth, and that no other payments beyond those set forth have been made or are to be made either in money, policies, bonds, valuable securities or other property by or with the knowledge of any parties to the amalgamation or transfer.

Winding up.

Special provisions as to winding up of assurance companies.

22. The Court may order the winding up of a life assurance company, in accordance with the Travancore Companies Regulation, 1092, and the provisions of that Regulation shall apply accordingly, subject, however, to the modification that the company may be ordered to be wound up—

(a) on the petition of ten or more policy-holders;

Provided that such a petition shall not be presented except by the leave of the Court, and leave shall not be granted until a *prima facie* case has been established to the satisfaction of the Court, and until security for costs for such amount as the Court may think reasonable has been given ; or

(*b*) on application made on behalf of Our Government showing that from a consideration of the documents deposited with them under the provisions of this Regulation it appears to them that the company is insolvent.

Winding up of subsidiary companies.

23. (1) Where a life assurance business or any part of the life assurance business of a life assurance company has been transferred to another company under an arrangement in pursuance of which the first-mentioned company (in this section called the subsidiary company) or the creditors thereof has or have claims against the company to which such transfer was made (in this section called the principal company), then, if the principal company is being wound up by or under the supervision of the Court, the Court shall (subject as hereinafter mentioned) order the subsidiary company to be wound up in conjunction with the principal company, and may by the same or any subsequent order appoint the same person to be liquidator for the two companies, and make provision for such other matters as may seem to the Court necessary with a view to the companies being wound up as if they were one company.

(2) The commencement of winding up of the principal company shall, save as otherwise ordered by the Court, be the commencement of the winding up of the subsidiary company.

(3) In adjusting the rights and liabilities of the members of the several companies between themselves, the Court shall have regard to the constitution of the companies, and to the arrangements entered into between the companies in the same manner as the Court has regard to the rights and liabilities of different classes of contributories in the case of the winding up of a single company, or as near thereto as circumstances admit.

(4) Where any company alleged to be subsidiary is not in process of being wound up at the same time as the principal company to which it is subsidiary, the Court shall not direct the subsidiary company to be wound up unless, after hearing all objections (if any) that may be urged by or on behalf of the company against its being wound up, the Court is of opinion that the company is subsidiary to the principal company, and that the winding up of the company in conjunction with the principal company is just and equitable.

(5) An application may be made in relation to the winding up of any subsidiary company in conjunction with a principal company by any creditor of, or person interested in, the principal or subsidiary company.

(6) Where a company stands in the relation of a principal company to one company, and in the relation of a subsidiary company to some other company, or where there are several companies standing in the relation of subsidiary companies to one principal company, the Court may deal with any number of such companies together or in separate groups as it thinks most expedient upon the principles laid down in this section.

Valuation of annuities and policies.

24. Where a life assurance company is being wound up by the Court, or subject to the supervision of the Court, or voluntarily, the value of a policy or of a liability under a policy requiring to be valued in such winding up shall be estimated in manner applicable to policies and liabilities provided by the Sixth Schedule.

Rules of valuation.

25. The rules in the Sixth Schedule shall be of the same force, and may be repealed, altered or amended as if they were rules made in pursuance of Section 248 of the Travancore Companies Regulation, 1092, and rules may be made under that section for the purpose of carrying into effect the provisions of this Regulation with respect to the winding up of life assurance companies.

Power of Court to reduce contracts.

26. The Court, in the case of a life assurance company which has been proved to be unable to pay its debts, may, if it thinks fit reduce the amount of the contracts of the company upon such terms and subject to such conditions as it thinks just, in place of making a winding up order.

Application of surplus assets in liquidation.

27. In the winding up of a life assurance company in a case where any proportion of the profits of the company was before the commencement of the winding up allocated to policy holders, if, when the assets and liabilities of the company have been ascertained, there is found to be a surplus of assets over liabilities (hereinafter referred to as a *prima facie* surplus), there shall be added to the liabilities of the company in respect of its life assurance business an amount equal to such proportion of the *prima facie* surplus as is equivalent to such proportion of the profits allocated to shareholders and policy-holders as was allocated to policy-holders during the ten years immediately preceding the commencement of the winding up, and the assets of the company shall be deemed to

exceed its liabilities only in so far as those assets exceed those liabilities after such addition as aforesaid :

Provided that, if in any case there has been no such allocation, or if it appears to the Court that by reason of special circumstances it would be inequitable that the amount to be added to the liabilities of the company in respect of the life assurance business should be an amount equal to such proportion as aforesaid, the amount to be so added shall be such amount as the Court may direct.

Special Provisions relating to Accounts and Documents.

Custody and inspection of documents deposited with Our Government.

28. Our Government may direct any documents deposited with them under this Regulation or certified copies thereof, to be kept by the Registrar or by any other officer appointed in this behalf, and any such documents and copies shall be open to inspection and copies thereof may be procured by any person on payment of such fees as Our Government may direct.

Accounts, etc., to be published.

29. Our Government shall annually cause to be published in such manner as they may direct, a summary of the accounts, balance sheets, abstracts, statements and other documents under this Regulation, or purporting to be under this Regulation, deposited with them during the preceding year by every life assurance company, except reports on the affairs of life assurance companies submitted to the share-holders or policy-holders thereof, and may append to such summary, any note of Our Government thereon, and any correspondence in relation thereto.

Evidence of documents.

30. Every document deposited under this Regulation with Our Government, and certified by the Registrar or by any person appointed in that behalf by Our Government to be a document so deposited, shall be deemed to be a document so deposited.

Evidence of copies of documents.

31. Every document purporting to be certified by the Registrar, or by any person appointed in that behalf by Our Government, to be a copy of a document so deposited, shall be deemed to be a copy of that document, and shall be received in evidence as if it were the original documents unless some variation between it and the original document be proved.

Alteration of forms.

32. Our Government may, on the application or with the consent of a life assurance company, alter the forms contained in the Schedules to this Regulation as respects that company, for the purpose of adapting them to the circumstances of that company.

Companies carrying on business in the United Kingdom and in British India.

Certain companies may apply to be declared companies which carry on life assurance business in the United Kingdom and in British India.

33. (1) An assurance company which carries on life assurance business in the United Kingdom in accordance with the Assurance Companies Act, 1909, or in British India in accordance with the Indian Life Assurance Companies Act, 1912, may, if carrying on life assurance business in Travancore before the commencement of this Regulation within three months of such commencement, or, in any other case, before it commences to carry on life assurance business in Travancore apply to Our Government for a declaration that it so carries on such business in the United Kingdom or In British India.

(2) A company applying under .the provisions of sub-section (1) shall furnish, at the time of its application or at such further time as Our Government may prescribe, such evidence as they may direct of the facts alleged in its application.

(3) Where Our Government are satisfied that a life assurance company applying as aforesaid is a life assurance company which carries on business in the United Kingdom in accordance with the Assurance Companies Act, 1909, or in British India in accordance with the Indian Life Assurance Companies Act, 1912, they shall, by notification in Our Government Gazette, make a declaration to that effect.

Application of the Regulation to companies which carry on life assurance business in the United Kingdom and British India.

34. Where Our Government have notified a declaration in accordance with the provisions of Section 32 in respect of a life assurance company, nothing in Section 4, Section 5, clauses (*a*), (*b*), (*c*) or (*d*) of sub-section (1) of Section 7, Sections 8 to 12, Sections 15, 20, 21, or 38 shall apply to the company :

Provided that—

(1) The company shall deposit with Our Government in the manner prescribed in Section 11, copies of very account, balance sheet, abstract, statement or other document which the company is required by the Assurance Companies Act, 1909, to deposit at the Board of Trade or by the Indian Life Assurance Companies Act, 1912, to deposit with the Governor General in Council.

(2) If, at any time, a company in respect of which a declaration has been notified under Section 33 ceases to carry on life assurance business in the United Kingdom in accordance with the provisions of the Assurance Companies Act, 1909, or in British

India in accordance with the Indian Life Assurance Companies Act, 1912, it shall, if it continues to carry on life assurance business in Travancore, be subject to all the provisions of this Regulation, from the date it ceased to carry on such business in the United Kingdom or British India in accordance with the said Acts.

Penalties and Procedure.

Penalty for non-compliance with Regulation.

35. Any life assurance company which makes default in complying with any of the requirements of this Regulation and every director, manager, or secretary, or other officer or agent of the company who is knowingly a party to the default shall be punishable with fine which may extend to one thousand rupees, or, in the case of a continuing default, with fine which may extend to five hundred rupees for every day during which the default continues; and, if default continues for a period of three months after notice of default by Our Government (which notice shall be published in one or more newspapers as Our Government may, upon the application of one or more policy-holders, or share-holders, direct), the default shall be a ground on which the Court may order the winding-up of the company, in accordance with the Travancore Companies Regulation 1092.

Penalty for falsifying statements, etc.

36. If any account, balance-sheet, abstract, statement or other document required by this Regulation is false in any particular to the knowledge of any person who signs it, such person shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Cognizance of offences.

37. No Court inferior to that of a Magistrate of the first class shall try any offence against this Regulation.

Miscellaneous.

Appointment of inspectors.

38. (1) Our Government may appoint one or more inspectors to examine into the affairs of any life assurance company, and to report thereon in such manner as they may direct—

(i) in the case of a life assurance company which is not registered under the Travancore Companies Regulation, 1092, upon the application—

(a) of shareholders being in number not less than one-fifth of the whole number of persons for the time being entered on the list of share holders kept in accordance with the provisions of Section 16 ; or

(*b*) of twenty or more policy-holders owning policies of an aggregate value of not less than twenty thousand rupees :

(ii) in any case where a life assurance company has failed to furnish a further statement when required to do so under the provisions of Section 11, sub-section (2), or where Our Government are of opinion that any such further statement is insufficient or unsatisfactory.

(2) On an appointment being made under sub-section (1), the provisions of Section 144 of the Travancore Companies Regulation, 1092, shall apply to the examination made by such inspectors.

Service of notices.

39. Any notice or other document which is by this Regulation required to be sent to any policy-holder may be addressed and sent to the person to whom notices respecting such policy are usually sent, and any notice so addressed and sent shall be deemed and taken to be notice to the holder of such policy :

Provided that, where any person claiming to be interested in a policy has given to the company notice in writing of his interest, any notice which is by this Regulation required to be sent to policy-holders shall also be sent to such person at the address specified by him in his notice.

Powers to make rules.

40. (1) Our Government may make rules to carry out the purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(*a*) prescribe the qualifications to be possessed by acturies, auditors and inspectors under this Regulation and the manner in which the accounts of life assurance companies shall be audited ;

(*b*) prescribe the time within, and the form in which, notice of alteration of the particulars specified in Section 19 of the Regulation shall be filed with the Registrar ;

(*c*) subject to the provisions of this Regulation prescribe the fees payable thereunder.

(3) All rules made under this Regulation shall be published in Our Government *Gazette* and, on such publication, shall have effect as if enacted in this Regulation.

Power of Our Government to exempt from the provisions of the Regulation.

41. Our Government may, by notification in Our Government Gazette and subject to such restrictions and conditions as they think fit, exempt any life assurance company from all or any of the provisions of this Regulation.

THE FIRST SCHEDULE.

(See Section 7.)

REVENUE ACCOUNTS OF THE ________ FOR THE YEAR ENDING ________

(A) *Life Assurance Account.*

	Rs.		Rs.
		Dividends payable on......for the year ending ......(This is only to be stated here by companies not supplying a Profit and Loss account.)	
		Claims under policies paid and outstanding—	
Amount of life assurance fund at the beginning of the year.		By death	
		By maturity	
		Surrenders, including surrenders of bonus additions.	
		Annuities	
Premiums		Bonuses in cash	
		Bonuses in reduction of premiums.	
		Expenses of management :—	
		Commission	
Consideration for annuities granted *see* Note 1		Agents' and Canvassers' allowance.	
		Salaries, etc. (other than to Agents and Canvassers).	
		Travelling expenses	
		Directors' fees...	
		Auditors' fees...	
Interests, dividend and rents *Less*, income-tax thereon. Rs.		Medical fees	
		Rents for offices belonging to, and occupied by, the company.	
		Rents of other offices occupied by the company.	
		Law charges	
		Advertising	
		Printing and stationery	
		Other expenses of management (accounts to be specified).	
Other receipts (accounts to be specified).		Other payments (accounts to be specified).	
		Amount of life assurance fund at the end of the year, as per third Schedule.	
Rs.		Rs.	

NOTE 1.—Companies having a separate annuity fund with investments separate from those of the life assurance fund to return the particulars of their annuity business in a separate statement, in Form B of this Schedule.

NOTE 2.—Items in this account to be net amounts after deduction of the amounts paid and received in respect of re-assurances of the company's risks.

NOTE 3.—If any sum has been deducted from the expenses of management account, and taken credit for in the balance-sheet as an asset, the sum so deducted to be separately shown in the above account.

(B) Revenue Account applicable to annuity business of those companies having a separate annuity-fund, the investments of which are kept separate from those of the life assurance fund.

	Rs.		Rs.
Amount of annuity fund at the beginning of the year .		Annuities	
Consideration for annuities granted .		Surrenders	
Rs.		Expenses of management :—	
Interests, dividends and rents .		Commission	
Less, income-tax thereon.		Other expenses (to be specified)	
		Other payments (accounts to be specified).	
Other receipts		Amount of annuity fund at the end of the year as per balance-sheet.	
Rs.		Rs.	

NOTE.—Items in this account to be net amounts after deduction of the amounts paid and received in respect of re-assurances of the company's risks.

(C) General Revenue Account applicable to all classes of business other than life assurance and annuity transactions.

	Rs.		Rs.
Amounts of funds at the begining of the year .		Claims less re-assurances (accounts to be specified) .	
Premiums (accounts to be specified). .		Expenses of management:—	
Rs.			
Interests, dividends and rents .		Commission	
Less, income-tax thereon.		Other expenses (to be specified)	
		Losses (accounts to be specified)	
		Other payments (accounts to be specified).	
Profits (accounts to be specified) .		Amount of funds at the end of the year as per balance-sheet.	
Other receipts (to be specified).			
Rs.		Rs.	

NOTE 1.—All the items in the above account to be exclusive of life assurance and annuity transactions.

NOTE 2.—Items in this account to be net amounts after deduction of the amounts paid and received in respect of re-assurances of the company's risks.

THE SECOND SCHEDULE.

(See Section 7.)

PROFIT AND LOSS ACCOUNT OF THE ________ FOR THE YEAR ENDING____ .

	Rs.		Rs.
Balance of last year's account .		Dividends and bonuses to share-holders payable on ..., for the year ending	
Interest and dividends not carried to other accounts. Rs. *Less*, income-tax thereon .		Expenses not charged to other accounts .	
		Loss realised (accounts to be specified) .	
Profit realized (accounts to be specified) .		Other payments (accounts to be specified). .	
Other receipts (accounts to be specified) .		Balance as per Third Schedule .	
Rs		Rs.	

THE THIRD SCHEDULE.

(See Section 7.)

(A) BALANCE-SHEET________ OF THE ______ ON THE________ ...

Liabilities.	Rs.	Assets.	Rs.
		Assets of life assurance fund as per separate balance-sheet (if any) .	
Assurance fund – Rs.		Assets of annuity fund as per separate balance-sheet (if any).	
Outstanding liabilities of life assurance fund		Assets of funds other than those shown in the above-mentioned balance-sheets .	
Annuity fund (if any) as per separate balance-sheet.		Mortgages on property within India .	
Outstanding liabilities of annuity fund.		Mortgages on property out of India .	
		Loans on public rates .	
		Do. life interests and reversions	
Shareholders' capital paid up (if any) .		Do. stocks and shares .	
Profit and loss account (if any) .		Do. company's policies within their surrender values .	
		Do. personal security .	

Liabilities	Rs.	Assets.	Rs.
		Investments—	
Funds contained in General Revenue Account (if any) [Schedule I (c)] .		Deposit with the Chief Account Officer (securities to be specified) .	
		Travancore Government Securities .	
		Indian Government securities .	
		British and Colonial Government securities .	
Other sums owing by the Company.		Foreign Government securities .	
		Indian Municipal and Provincial securities .	
Accounts to be specified and stated separately under each class of		British and Colonial securities .	
		Foreign and Colonial securities .	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by the Indian Government .	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by the British or any Colonial Government.	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by any Foreign Government.	
		Ordinary stocks and shares of any Indian Presidency Bank.	
		Debentures of any Railway in India.	
		Debentures of any Railway out of India.	
		Preference or guaranteed shares of any Railway in India.	
		Preference or guaranteed shares of any Railway out of India.	
		Ordinary stocks and shares of any Railway in India.	
		Ordinary stocks and shares of any Railway out of India.	
		House property in India.	
		House property out of India.	

Liabilities.	Rs.	Assets.	Rs.
		Investments—(*contd.*)	
		Freehold and leasehold ground rents and rent charges in India.	
		Life interests and reversions in India.	
		Life interests and reversions out of India.	
		Other investments in India (to be specified).	
		Other investments out of India (to be specified).	
		Agents' balances ..	
		Outstanding premiums ..	
		Outstanding interests, dividends and rents. ..	
		Interest accrued but not payable.	
		Bills receivable .	
		Cash—	
		On deposit .	
		In hand and on current account .	
		Other assets (to be specified).	
Rs.		Rs.	

NOTE 1.—When part of the assets of the company are specifically deposited under local laws in various places out of India, as security to holders of life assurance policies there issued, each such place and the amount compulsorily lodged therein must be specified.

NOTE 2.—The balance-sheet must state how the values of the stock exchange securities are arrived at, and on the occasions when a statement respecting valuation under the Fourth Schedule is made, a certificate must be appended, signed by the same persons as signed the balance-sheet, to the effect that in their belief the assets set forth in the balance-sheet are in the aggregate fully of the value stated therein, less any investment reserve fund taken into account.

NOTE 3.—Companies having investments with any uncalled liability shall state separately the full amount thereof.

NOTE 4.—Particulars must be given of all loans, including temporary advances except loans on policies within their surrender values, made at any time during the year to any director or officer of a company or to any other company in which any of the said directors or officers may hold the position either of director or of officer.

(B) BALANCE SHEET OF THE LIFE ASSURANCE FUND ON THE ..., TO BE COMPLETED BY COMPANIES DOING BUSINESS OTHER THAN LIFE ASSURANCE FOR WHICH THEY HAVE SEPARATE FUNDS.

Liabilities.	Rs.	Assets.	Rs.
Life assurance fund .		Mortgages on property within India .	
		Do. Do. out of India.	
Claims admitted or intimated but not paid .		Loans on public rates .	
Other sums owing by the company (under this class of business) .		Do. life interests and reversions .	
		Do. Stocks and shares .	
		Do. company's policies within their surrender values. .	
		Do personal security .	
		Investments :—	
		Deposit with the Chief Account Officer] (securities to be specified) .	
		Indian Government securities .	
		British and Colonial Government securities .	
		Foreign Government securities .	
		Indian Municipal and Provincial securities .	
		British and Colonial securities .	
		Foreign and Colorial securities .	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by the Indian Government .	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by the British or any Colonial Government.	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by any Foreign Government.	
		Ordinary stocks and shares of any Indian Presidency Bank	
		Debentures of any Railway in India .	
		Debentures of any Railway out of India .	
		Preference or guaranteed shares of any Railway in India .	

Liabilities.	Rs.	Assets.	Rs.
		Preference or guaranteed shares of any Railway out of India .	
		Ordinary stocks and shares of any Railway in India .	
		Ordinary stocks and shares of any Railway out of India .	
		House property in India .	
		House property out of India.	
		Freehold and lease-hold ground rents and rent-charges in India .	
		Life interests and reversions in India .	
		Life interests and reversions out of India .	
		Other investments in India (to be specified) .	
		Other investments out of India (to be specified) .	
		Agent's balances . .	
		Outstanding premiums .	
		Do. interests, dividends and rents .	
		Interest accrued but not payable' Bills receivable .	
		Cash—	
		On deposit .	
		In hand and on current account .	
Rs.		Other assets (to be specified)	
		Rs.	

NOTE 1.—When part of the assets of the company are specifically deposited under local laws in various places out of India, as security to holders of life assurance policies there issued, each such place and the amount compulsorily lodged therein must be specified.

NOTE 2.—A balance-sheet in the above form must be rendered in respect of the annuity fund if the investments of that fund are distinct from those of the life assurance fund.

NOTE 3.—The balance-sheet must state how the values of the stock exchange securities are arrived at, and on the occasions when a statement respecting valuation under the Fourth Schedule is made, a certificate must be appended, signed by the same persons as signed the balance-sheet, to the effect that in their belief the assets set forth in the balance-sheet are in the aggregate fully of the value stated therein, less any investment reserve fund taken into account.

NOTE 4.—A certificate must be appended hereto, signed by the same persons as signed the balance-sheet (Form A.) and by the auditor, to the effect that no part of any such fund has been applied, directly, or indirectly or for any purpose other than the class of business to which it is applicable.

NOTE 5.—Companies having investments with any uncalled liability shall state separately the full amount thereof.

NOTE 6.—Particulars must be given of all loans including temporary advances except loans on policies within their surrender values, made at any time during the year to any director or officer of a company, or to any other company in which any of the said directors or officers may hold the position either of director or of officer.

THE FOURTH SCHEDULE.

(See Sections 8 and 9.)

STATEMENT RESPECTING THE VALUATION OF THE LIABILITIES UNDER LIFE POLICIES AND ANNUITIES OF THE…………, TO BE MADE AND SIGNED BY THE ACTUARY.

(The answers should be numbered to accord with the numbers of the corresponding questions.)

1. The date up to which the valuation is made.

2. The general principles adopted in the valuation, and the method followed in the valuation of particular classes of assurances including a statement of the method by which the net premiums have been arrived at, and whether these principles were determined by the instrument constituting the company or by its regulations or by-laws, or how otherwise; together with a statement of the manner in which policies on under average lives are dealt with.

3. The table or tables of mortality used in the valuation. In cases where the tables employed are not published, specimen policy values are to be given at the rate of interest employed in the valuation, in respect of whole-life assurance policies effected at the respective ages of 20, 30, 40, and 50, and having been respectively in force for 5 years, 10 years, and upwards at intervals of five years, respectively; with similar specimen policy values in respect of endowment assurance policies according to age at entry, original term of policy and duration.

4. The rate or rates of interests assumed in the calculations.

5. The actual proportion of the annual premium income (if any), reserved as provision for future expenses and profits, separately specified in respect of assurances with immediate profits, with deferred profits, and without profits. (If none, state how this provision is made.)

6. The consolidated revenue account since the last valuation, or in case of a company which has made no valuation, since the commencement of the business. (This return should be made in the form annexed. No return under this heading will be required where a statement under this schedule is deposited annually.)

7. The liabilities of the company under life polices and annuities at the date of the valuation, showing the number of policies, the amount assured and the amount of premiums payable annually under each class of policies, both with and without participation in profits; and also the net liabilities and assets of the company with the amount of surplus or deficiency. (These returns to be made in the forms annexed.)

8. The principles upon which the distribution of profits among the share-holders and policy holders is made, and whether these

principles were determined by the instrument constituting the company or by its regulations or by-laws, or how otherwise, and the number of years' premiums to be paid before a bonus (*a*) is allotted and (*b*) vests.

9. The results of the valuation, showing—

(1) the total amount of profit made by the company, allocated as follows :—

(*a*) among the policy-holders with immediate participation and the number and amount of the policies which participated;

(*b*) among policy-holders with deferred participation, and the number and amount of the policies which participated ;

(*c*) among the share-holders ;

(*d*) to reserve funds, or other accounts ;

(*e*) carried forward unappropriated ;

(2) specimens of bonuses allotted to whole life assurance policies for Rs. 1,000 effected at the respective ages of 20, 30, 40 and 50, and having been respectively in force for 5 years, 10 years and upwards at intervals of 5 years respectively, together with the amounts apportioned under the various modes in which the bonus might be received ; with similar specimen bonuses and particulars in respect of endowment assurance policies, according to age at entry, original term of policy and duration.

(Form referred to under Heading No. 6. Fourth Schedule.)

Consolidated Revenue Account of the——for ——years commencing ——and ending——

	Rs.		Rs.
Amount of life assurance fund at the beginning of the period,		Claims under policies paid and outstanding—	
Premiums .		By death .	
Consideration of annuities granted .		By maturity	
Rs			
Interest, dividends and rents.		Surrenders .	
Less income-tax thereon,		Annuities .	
		Bonuses in cash .	
Other receipts (accounts to be specified).		Bonuses in cash reduction of premiums .	
		Commission .	
		Expenses of management .	
		Other payments (accounts to be specified).	
		Amount of life assurance fund at the end of the period as per Third Schedule	
Rs.		Rs.	

NOTE.—If any sum has been deducted from the expenses of management account and taken credit for in the balance-sheet as an asset, the sum so deducted to be separately shown in the above statement.

(Form referred to under Heading No. 7 in Fourth Schedule.)

Summary and valuation of the policies of the— — —— —as at—— .

	Particulars of the policies for valuation.				Valuation — Value by the Table interest per cent.			
	Number of policies.	Sums assured and bonuses.	Office yearly premiums	Net yearly premiums.	Sums assured and bonuses.	Office yearly premiums.	Net yearly premiums.	Net liability.
ASSURANCES.								
I.—*With immediate participation in profits.*								
For wholse term of life								
Other classes (to be specified)								
Extra premiums payable .								
II.—*With deferred participation in profits.*								
For whole term of life .								
Other classes (to be specified)								
Extra premiums payable .								
Total assurances with profits								
III.—*Without participation in profits.*								
For whole term of life .								
Other classes (to be specified)								
Extra premiums .								
Total assurances without profit.								
Total assurances .								
Deduct reassurances (to be specified according to class in a separate statement) .								
Net amount of assurances .								
Adjustments, if any (to be separately specified) .								
ANNUITIES ON LIVES								
Immediate .								
Other classes (to be specified) .								
Total of the results .								

NOTE. 1 The term "extra premium" in this Regulation shall be taken to mean the charge for any risk not provided for in the minimum contract premium. If policies are issued in or for any country at rates of premium deducted from tables other than the European mortality tables adopted by the company, separate schedules similar in form to the above must be furnished.

NOTE 2 —Separate returns and valuation results must be furnished in respect of classes of policies valued by different tables of mortality, or at different rates of interest, also for business at other than European rates.

NOTE 3— In cases also where separate valuations of any portion of the business are required under local laws in places outside British India, a summary statement must be furnished in respect of the business so valued in each such place showing the total number of policies, the total sums assured and bonuses, the total office yearly premiums and the total net liability on the bases as to mortality and interest adopted in each such place, with statement as to such bases respectively.

(Form referred to under Heading No. 7 in Fourth Schedule)

Valuation-Balance sheet of————— ——— as at——— .

DR.	Rs.	CR.	Rs.
To net liability under life assurance and annuity transactions (as per summary statement provided in Fourth Schedule)		By life assurance and annuity funds (as per balance-sheet under Third Schedule).	
To surplus, if any		By deficiency, if any . .	
	——		——
	——		——

THE FIFTH SCHEDULE.

(See Section 10.)

STATEMENT OF THE LIFE ASSURANCE AND ANNUITY BUSINESS OF THE......ON THE , TO BE SIGNED BY THE ACTUARY.

(The answers should be numbered to accord with the numbers of the corresponding questions. Statements of re-assurances corresponding to the statements in respect of assurances are to be given throughout.) Separate statements are to be furnished in the replies to all the headings under this Schedule for business at other than European rates.

1. The published table or tables of premiums for assurances for the whole term or life and for endowment assurances which are in use at the date above mentioned.

2. The total amount assured on lives for the whole term of life which are in existence at the date abovementioned, distinguishing the portions assured with immediate profits, with deferred profits

and without profits, stating separately the total reversionary bonuses and specifying the sums assured for each year of life from the youngest to the oldest ages, the basis of division as to immediate and referred profits being stated.

3. The amount of premiums receivable annually for such year of life after deducting the abatements made by the application of bonuses in respect of the respective assurances mentioned under Heading No. 2 distinguishing ordinary from extra premiums. A separate statement is to be given of premiums payable for a limited number of years, classified according to the number of years' payments remaining to be made.

4. The total amount assured under endowment assurences, specifying sums assured and office premiums separately in respect of each year in which such assurances will mature for payment. The reversionary bonuses must also be separately specified, and the sums assured with immediate profits with deferred profits and without profits separately returned.

5. The total amount under classes of assurance business, other than assurances dealt with under questions 2 and 4, distinguishing the sums assured under each class and stating separately the amount assured with immediate profits with deferred porfits, and without profits, and the total amount of reversionary bonuses.

6. The amount of premiums receivable annually in respect of each such special class of assurances mentioned under Heading No. 5, distinguishing ordinary from extra premiums.

7. The total amount of premiums which has been received from the commencement upon pure endowment policies which are in force at the date abovementioned.

8. The total amount of immediate annuities on lives, distinguishing the amounts for each year of life, and distinguishing male and female lives.

9. The amount of all annuities on lives other than those specified under Heading No. 8, distinguishing the amount of annuities payable under each class, and the amount of premiums annually receivable.

10. The average rate of interest yielded by the assets, whether invested or uninvested, constituting the life assurance fund of the company, calculated upon the mean fund of each year during the period since the last investigation, without deduction of income-tax.

It must be stated whether or not the mean fund upon which the average rate of interest is calculated includes reversionary investments.

11. A table of minimum values, if any, allowed for the surrender of policies for the whole term of life and for endowments and endowment assurances, or a statement of the method pursued in calculating such surrender values, with instances of the applicatioin of such method to policies of different standing and taken out at various interval ages from the youngest to the oldest.

THE SIXTH SCHEDULE.

(*See Sections 24 and 25.*)

RULES FOR VALUING ANNUITIES, LIFE POLICIES AND LIABILITIES.

Rule for valuing an annuity.

An annuity shall be valued according to the tables used by the company which granted such annuity at the time of granting the same, and, where such tables cannot be ascertained or adopted to the satisfaction of the Court, then according to such rate of interest and table of mortality as the Court may direct.

Rule for valuing a policy.

The value of the policy is to be the difference between the present value of the reversion in the sum assured according to the contingency upon which it is payable, including any bonus or addition thereto made before the commencement of the winding-up and the present value of the future annual premiums.

In calculating such present values interest is to be assumed at such rate and the rate of mortality according to such tables, as the Court may direct.

The premium to be calculated is to be such premium as according to said rate of interest and rate of mortality is sufficient to provide for the risk incurred by the office in issuing the policy, exclusive of any addition thereto for office expenses and other charges.

Rule for valuing a liability.

The liquidator, in the case of all persons appearing by the books of the company to be entitled to or interested in policies granted by such company, is to ascertain the value of the liability of the company to each such person, and give notice of such value to such persons in such manner as the Court may direct, and any person to whom notice is so given shall be bound by the value so ascertained unless he gives notice of his intention to dispute such value in manner and within a time to be prescribed by a rule or order of the Court.

Statement of Objects and Reasons.

The object of the Bill is to provide for the better control of Life Assurance Companies. The carrying on of life assurance business is subject to special legislation in the United Kingdom and in British India. In the United Kingdom such companies are governed by the Assurance Companies Act, 1909 and in British India by the India life Assurance Companies Act, 1912 (Act, VI of 1912 as amended by Act, XX of 1928). The existence of such companies in Travancore has been brought to the notice of Government, and it is considered that special legislation should be introduced in Travancore also to control their operations in the interests of the public. This Bill has accordingly been prepared on the lines of the Indian Life Assurance Companies Act, 1912.

2. The main provisions of the Bill are designed to secure (1) that life assurance business as defined in the Bill shall be carried on only subject to the provision of the Bill, (2) that the floating and continuance of financially unsound Life Assurance Companies shall be prevented, (3) that the Government shall be kept fully and truly informed of the actual working and financial condition of such Companies, (4) that the Government shall be empowered to start winding-up proceedings if any company appear to be insolvent and (5) that full publicity shall be given to the financial condition, working, and proceedings of such conmpanies.

INDEX

TO THE

Travancore Legislative Council Proceedings

VOLUME XX.

A

	Pages
Abraham, Mr. K. P.	
Adjournment motion—	
Tax arrears—sale of lands for ...	145
Bills—	
Criminal Law Amendment Bill—consideration of-	15, 17, 18
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of motion *re* ...	63, 67, 111, 112 117, 120
Jenmi Kudiyan Bill ...	355, 356, 357, 365, 377, 390, 392
Provident Insurance Bill—introduction of ...	584, 585, 591
Town Planning Bill—second reading of ...	485, 489, 542 556, 557
Width of Tyres Bill—introduction of ...	446, 452, 458, 459, 463
Point of order	
Re failure to supply copies of Select Committee Report and Bill to the members seven clear days before the day of thé meeting ...	349
[**Questions**]	
Bus collision in the Muvattupuzha-Thodupuzha road ...	416-417
Chitties ...	313
Coercive steps for land tax in the Muvattupuzha and Todupuzha taluks ...	405
Constructional Engineering Firms in Travancore ...	91
Dispensary—need for a at Karimannur ...	12
Dispensary—opening of at Kottapadi ...	410
Documents registered in a Sub-Registry Office · least number of ...	432
First Class Magistrate's Court at Alwaye—abolition of ...	179

	Pages
Abraham, Mr. K. P. (*contd.*)	
Questions (*contd*)	
Flood relief measures at Kottayam ...	7-8
Gazette—issue of copies to Firms outside the State ...	91
Jenmi Kudiyan Regulation Amendment Bill ...	218-219
M. L. C.'s—presence of at the Investiture Darbar ...	321
Neriamangalam Bridge—construction of ...	166
Parur Sub Registry Office—documents registered in—1106 ...	432
Revenue and expenditure of the State in 1106 ...	90
Revenue Courts—dating of petitions presented to ...	320
Revenue Courts—petitions to ...	726
Revenue Officers—recruitment from the Bar, ...	170-171
Road from Kottapadi to meet the Perumpavur-Kotamangalam road ...	218
Salaries of certain officers—expenditure of, in 1106 ...	90
Salaries and pensions in 1106—expenditure on...	90
Sub-Registry Offices—abolition of—selection for ...	432
Do., Kothamangalam—abolition of ...	745
Almanac and Directory, 1932 ...	749
T. A. drawn by officers on Rs. 200 and above in 1106 ...	91
Trikkariyur temple road ...	89-90
Resolutions	
Child Marriage Act ...	795, 796, 803, 807, 809, 810
Officers—revision of pay and grades of ...	190
Tax remission ...	298, 300, 638
Text Book Committee (Vernacular)—more adequate representation of Tamil in the ...	203
Water drinking—supply of ...	242, 244, 245
Adjournment motions	
Kaolin—monopoly for ...	100, 130-131
Tax arrears—sale of lands for ...	13, 131-162
Police at Alleppey—conduct of ...	346, 624, 761
Text books—delay in publication of list of (Disallowed) ...	534
Agricultural loans ...	319
Appointments ...	315
Ayurveda Board—constitution of (*vide* questions and answers) ...	166-167

B	Pages
Bills	
Criminal Law Amendment Bill—consideration of ...	15-20
Jenmi Kudiyan Regulation Amendment Bill—progress of (*vide* questions and answers) ...	218-219, 226
Do. recommittal, motion *re*—discussion on ...	59-80, 100-130
Do. recommittal to Select Committee ...	130
Do. Select Committee's report on—presentation of ...	59
Jenmi Kudiyan Bill—postponement of after presentation of second Select Committee's report ...	351-395
Life Insurance Bill—introduction of ...	595-598
Do. Select Committee on constitution of ..	598
Muslim Succession Bill—second reading of ...	624-625
Partition Bill—consideration of—postponement of ...	184-186
Police Regulation Amendment Bill—introduction of ...	58-59
Do. Do. ...	346
Provident Insurance Bill—introduction of ...	583-595
Do. Select Committee on—constitution of ...	595
Town Planning Bill—introduction of ...	20-58
Do. referred to Select Committee ...	58
Do. postponement of the second reading of to the next day ...	346-349
Do. second reading of ...	468-489
Do. second reading of—amendment *re* the saving of persons convicted of offences not involving moral turpitude (accepted) ..	576-582
Do. amendment insisting on the Municipality's assent as a condition precedent to the constitution of trust ...	487-489, 534-575
Town Planning Bill—second reading of—amendment (*lost*) providing for the solatium of 15 per cent. of the value to be paid to the owner of land compulsorily acquired over and above the market value fixed ...	472-486
Width of Tyres Bill ...	441-468

	Pages.
Bishop, Mr. L. A.	
Resolution	
Child Marriage Act ..	302

C

Chacko, Mr. I. C.	
Resolution	
Water (drinking)—supply of ...	267
Chandi, Mrs. Anna	
Questions	
Warkalai Beach—bath rooms in the ...	715
Resolution	
Child Marriage Act ...	772, 779-781, 793
Chandi, Mr. K. C.	
Bills	
Criminal Law Amendment Bill—consideration of ...	15, 16, 18, 19
Jenmi Kudiyan Bill ...	361
Point of order	
Failure to supply copies of Select Committee Report and Bill to the members seven clear days before the day of the meeting ..	349
Questions	
Ambulance cars ...	707
Kottayam Hospital—smuggling of drugs from ...	747
Retrenchment Committee ...	716
Salary cut ...	717
Chattanatha Karayalar, Mr. S.	
Bills ...	55
Town Planning Bill—introduction of ...	469, 475, 485,
„ second reading of ...	486, 541 559, 560, 574
Questions	
Aruvikara dam—contract for the construction of ...	96-97
Life Insurance Companies—control over ...	221
Manakudi lake—silting up of ...	410-411
Road from—Avaneeswaram to *via.*, Tadikad—opening of a ...	173-174
Toll-gate at Nedumangad—abolition of ...	208-209
Vernacular School, Punalur—shifting of ...	95-96
Village Panchayats ...	735

	Pages
Chattanatha Karayalar Mr. S. (*contd.*)	
Resolutions	
Child Marriage Act ...	783
Cow killing ...	682
Text-book Committee (Vernacular)—more adequate representation of Tamil in the ...	203
Toll-gate at Nedumangad—abolition of ...	281-284, 292, 293
Water (drinking)—supply of ...	261
Chitties	313, 314
Committees	
Banking Enquiry Committee—report of—action on (*vide* Questions and answers) ...	3
Factories Committee—working of (*vide* Questions and answers) ...	219-220
Minor Irrigation Committee—report of—action on (*vide* Questions and answers) ...	179
Text Book Committee (Vernacular)—representation of Tamil in the (*vide* Resolutions) ...	
D	
Damodaran Asan, Mr. A. S.	
Adjournment motion	
Sale of lands for arrears of land tax ...	133, 134, 135, 151, 152, 153, 154, 157, 158, 159, 160, 162
Bills	
Jenmi Kudiyan Bill ...	352, 353, 355, 359, 365, 368, 369, 373, 381, 393
Jenmi Kudiyan Regulation Amendment Bill—recommittal of—motion *re* ...	62, 63, 64, 66, 74, 75, 81, 111, 112, 120-122, 124
Life Insurance Bill—introduction of ...	596
Partition Bill—consideration of—postponement of ...	184-185
Provident Insurance Bill—introduction of ...	584, 587, 588, 589, 591
Town Planning Bill—introduction of ...	26, 28, 29, 45-48

Damodaran Asan Mr. A. S. (*contd.*)

Pages

Bills (*contd.*)

Town Planning Bill—second reading of ... 477, 535, 536, 537, 538, 547, 548, 549, 550, 551, 552, 554. 556, 566, 568, 569, 570, 572, 573, 577, 582

Width of Tyres Bill ... 442, 448, 451, 452

Point of order—

Failure to supply copies of Select Committee Report and Bill to the members seven clear days before the day of the meeting ... 350

Questions

Accountants (Pakuthies)—recruitment of ... 399-401

Banking Enquiry Committee—report of—action on ... 3

Bridge (Southern) at Kayamkulam—construction of ... 214-216

Bridge at Pulikizh—construction of ... 88-89

Bus traffic on the Kayankulam-Nangyarkulangara road ... 401

Charumood-Mankakuzhi road—construction of a culvert on the ... 85

Demand Notice fees ... 718

Haripad-Elanjimel road—gravelling of ... 86-87

Irrigation Canal in Thonnallur pakuthi—improvements to ... 5

Irrigation facilities in Chavalakkara Vayal in Thonnallur pakuthi ... 5

Kadakkad School building ... 608

Kayamkulam-Karthikapalli road—first section of ... 84-85

Do. metalling of ... 3-5

L. M. Bank—minimum for loan from ... 610

Medical College, Madras—Travancore students of ... 727

Mr. T. K. Velu Pillai and the Public Library ... 325

Nangyarkulangara Toll-gate—tolls on the cycle at the—compounding of ... 6

Ophthalmic Hospital—accommodation in the ... 10

Panachammood-Kochikkal and Valiaperumpuzha-Mannar roads ... 403-405

Questions (*contd.*)	Pages
Panthalam-Thonnallur Nayar Co-operative Society—memorial from the President of the ...	599
Pottatodu—Lock at—construction of a ...	85
Public Works in Karunagapalli and Mavelikara taluks ...	89
Raman Pillai, Mr. C. N., Ayurveda Physician—Grant-in-aid to ...	5-6
Roads (certain) in the Mavelikara and Karthikapalli taluks—gravelling of ...	87-88 241-244, 255,
Sanskrit Schools (aided)—grants-in-aid to teachers of ...	747
Sub-Registry offices ...	730
Veluthedathu Nayars ...	729
Voting strength of the different Legislative Council constituencies ...	730
Resolutions	
Child Marriage Act ...	770, 774, 786, 799
Cow-killing ...	673, 674, 675, 676, 677, 678, 680, 681, 685, 686, 688, 692
Flood relief—elevated grounds for Kuttanad ...	659, 667
Officers—revision of pay and grades of ...	186-196
Remission of Land Revenue ...	293-294, 296, 300, 303
Water (drinking) supply of ...	265, 266, 268, 269, 273, 277-278, 280
Tax remission ...	626,627,628,630 638,639,640,641 646,637,640-654
Toll-gate at Nedumangad—abolition of— ...	289
Deputy President	
Bills	
Town Planning Bill—second reading of— ...	469,470,471,472 476,482,485
Resolutions	
Child Marriage Act ...	768,774,782,797 807,809,812-815
Remission of Land Revenue ...	294,297,299,300 301,302,303 304.305

	Page.
Resolutions (*contd.*)	
Cow-killing ...	673,674,685
Flood-relief— elevated grounds for Kuttanad ...	662,663,664,665 666,668,669 670,671
Toll-gate at Nedumangad—abolition of— ..	281,282,283,284 285,286,287,288 289,291,293
Water (drinking)—supply of ...	269,273,276,277 278,279,280, 281
E	
Epidemiologist and Entomologist—functions of. (Vide questions and answers ...	181-182
F	
Financial Survey in Trivandrum (Vide questions and answers) ...	209
G	
George Mr. K.	
Adjournment motion	
Sale of lands for arrears of land tax ...	133,134
Bills	
Provident Insurance Bill—introduction of— ...	585
Point of order	
That when a mover withdraws a motion, it is for the House to permit him to withdraw or not ...	671
Resolutions	
Child Marriage Act ...	771,803,809,810
Officers—revision of pay and grades of— ...	187
Tax remission ...	295-303,304,305 651,652,654
Toll-gate at Nedumangad—abolition of— ..	281,283
Water (drinking)—supply of ...	280
Gopalakrishna Pillai Mr. K.	
Adjournment motion	
Sale of lands for arrears of land tax— ...	148-149
Bills	
Jenmi Kudiyan Bill ...	358,377
Jenmi Kudiyan Regulation Amendment Bill—recommittal of—motion *re* ...	115,118,130

	Pages.
Gopalakrishna Pillai Mr. K. (*contd.*)	
Bills	
Provident Insurance Bill—introduction of ...	583,584
Town Planning Bill—introduction of— ...	51-52
Do. second reading of— ...	479,480,552,553 554,560-561
Questions	
Flood relief measures ...	606
Flood relief work in the Parur and Kuttanad taluks—amount spent on— ...	322
Interpellations—answering of ...	737
Municipalities—grants to— ...	745
Periyar Dam ...	417-418
Police—treatment of persons arrested for disobeying prohibitory orders ...	738
Police force—moral standard among the— ...	523
Small-pox in Parur ...	716
Tariff value of cocoanut products ...	499
Teachers (acting) ...	706
Resolutions	
Child Marriage Act ...	763,764,767 769,774,795 807 809
Flood-relief—elevated grounds for Kuttanad ...	658,659
Tax remission ...	637,647,648
Water (drinking)—supply of ...	255-256,260 272,278
Govindan Mr. M.	
Bills	
Provident Insurance Bill—introduction of— ...	584,588,594
Town Planning Bill—introduction of— ...	48-49.52
Do. second reading of ...	472-473,474, 483-485.486,536, 539,552,558 559,567,572 574,577,581
Width of Tyres Bill ...	456.
Questions	
Salt licensees at Thamaracolam—concessions to— ...	413-415
Satyagraha prosecutions (Suchindram)—conduct of—appointment of Mr. Chakrapani Iyer for the ...	177
Resolutions	
Child Marriage Act ...	697,769,773 779,784,787

	Pages
Govindan Mr. M. —(*contd.*)	
Resolutions (*contd.*)	
Cow-killing ...	672-675,678
Flood relief—elevated grounds for Kuttanad ..	657,659,664,671
Officers—[illegible] pay and grades of— ...	191
Tax remission ...	637,647
Water (drinking)—supply of ...	248-249,253 255,270
I	
interpellation—Delay in answering (Vide questions and answers) ...	8-10
J	
Jetavedan Nampooripad Mr. V. N.	
Bills	
Jenmi Kudiyan Regulation Amendment Bill—recommittal of—motion *re* ...	78-102,126
Oath of office ...	1
Jahn Joseph Mr. N.	
Questions	
Depressed classes—appointment of—in the Electrical Department ..	509
Silk Industry ...	606
Resolutions	
Cow-killing ...	688-689
Tax remission ...	633-634
Water (drinking) supply of ...	263
K	
Karunakaran Mr. K. C.	
Bills	
Town Planning Bill—introduction of ...	52-54
Kerala Varma Tampan Mr. M	
Oath of office ...	309
Kocheeppan Mappilli M. K. I.	
Bills	
Town Planning Bill-introduction of— ...	36
Question	
Chengannur Magistrate's Court ...	746
Resolutions	
Child Marriage Act ...	811
Cow killing ...	675-676
Flood relief—elevated grounds for Kuttanad ...	663-667
Tax remission ...	631-632

Kochukora Tarakan Mr. K. P.	Pages.
Bills	
Jenmi Kudiyan Regulation Amendment Bill recommittal of—motion re— ...	62,68,74 120,127
Jenmi Kudiyan Bill ...	354,392
Town Planning Bill—introduction of ...	35,40,41
Resolution	
Tax remission ...	646,647
Krishna Aiyengar, Rao Bahadur K. A.	
Adjournment motion	
Tax arrears—sale of lands for— ...	133,140
Bills	
Criminal Law Amendment Bill—consideration of— ...	17,18
Jenmi Kudiyan Regulation Amendment Bill recommittal of—motion re— ...	67,71,72,73,101 103,106,113 124,128,130
Town Planning Bill—introduction of— ...	26,27,28,29.32 33,48,53,54
Resolutions	
Officers—revision of pay and grades of— ...	188'189,192 193-194
Water (drinking)—supply of ...	242,243,244, 249,252,264 265,267
Krishnan Nayar Mr. K.	
Adjournment motion	
Sale of lands for arrears of land tax ...	146-147
Point of Order	
Failure to supply copies of Select Committee Report and Bill to members seven clear days before the day of the meeting ...	349
Questions	
Abkari arrears ...	315
Appointments made by the Account Officer in 1106 and 1107 ...	315
Cast estatement of constables	525
Chief Engineer—visit of, to work spots ...	710
Communal representation in service ...	514
Constable recruits—discharge of— ...	751
Co-operative Bank (Pattanamthitta taluk) working of— ...	94-95
Co-operative Inspector, Pattanamthitta taluk—complaints against the— ...	95

Krishnan Nayar Mr. K. (*contd.*)	Pages.
Questions	
Depressed classes-lands assigned ...	315
Director of Ayurveda—vacancy of— ...	415-416
Ferry boat at the Kumbazha crossing—capsizing of—	165
Head Constables—appointment of, as Inspectors	525
Huzur Medical stores—expenditure during 1101 to 1106 for ...	165-166
Judiciary—recruitment of ...	513
Kumara Pillai Mr. N. of the Devaswom Commissioners' Office ...	728
Leper Asylum—shifting of— ...	318
Mr. T. K. Velu Pillai and the Public Library ...	331
Muzhikkal—Perumala canal—widening of— ..	212
Officers confirmed with retrospective effect ...	707
Do. special favours to ...	707
Oriental Manuscripts—republication of ...	709
Pandalam Sub-Registry Office ...	731
Pipe carts—purchase of ...	163-164
Police—conduct of, towards the arrested congress workers at Alleppey ...	740
Public Library—Honorary Secretary of the— ...	334
Ryots' road in the Pattanamthitta taluk—particulars *re* ...	97
Science College—promotions in the— ...	504
Transfer of cases from the Chengannur Munsiff's Court to the Adur Munsiff's Court ...	222-223
Waiting list and appointments in the Huzur ...	164
Do. in the Land Revenue Department ..	173
Water Works Division—expenditure for ...	520
Resolutions	
Cow killing ...	671-672,673, 676,686,689,690, 692
Tax remission ...	641
Krishna Pillai Mr. E. V.	
Adjournment motion—	
Sale of lands for arrears of land tax ...	135-136
Bills—	
Jenmi and Kudiyan Regulation Amendment Bill—recomittal of motion *re* ...	62,79,80,100, 101,108,109,111, 113

	Pages.
Krishna Pillai Mr. E. V. (*contd.*).	
Bills	
Jenmi Kudiyan Bill ...	354,355,356, 361-363,364, 366,368,369,370, 386,395
Partition Bill—consideration of—postponement of ...	185
Provident Insurance Bill—introduction of ...	554
Town Planning Bill—introduction of ...	22
Do. second reading of ...	469,470,471, 474-475,483,484, 536,537,538,539, 540-543,546, 547,549,550, 568 570,571, 581
Width of Tyres Bill ...	441,442,443, 444,445,446, 452-453,456, 463
Point of order—	
A member occupying another's seat ...	791
The omission to publish the Town Planning Bill in Tamil also ...	347
Questions ...	
Appointments—circular *re* filling of vacancies in the several offices ...	8
Adur Girls' School—building for ...	13
Chitties ...	314
Inspectress—work of ..	318
Interpellations received and answered during the Budget Session in 1106 ...	8-10
Kottarakara taluk—inclusion of the Mailom pakuthi in the ...	317
Lands on 99 years' lease ...	314
Lands—registry of—in the name of Mr. C. M. Korah ...	411-412
M. L. C's—presence of at the Investiture Durbar ..	321
Newspapers subscribed for by the Government ...	216-217
Nilamel—opening of a market at ...	398-399
Satyagraha prosecutions—(Suchindram)—conduct of—appointment of a Special officer for the ...	175-176
Spinning in schools—teaching of ...	230-231

	Pages.
Krishna Pillai Mr. E. V. (*contd*)	
Questions—	
Sreenivasa Aiyar Mr. M.—Supervisor, P. W. D. ...	166
Stationery articles—tender for supply of in 1106 ...	92
Swaminatha Sastry, Mr. C. S. engagement of—for conducting certain prosecutions before the Quilon Sessions Court ..	92-93
Resolutions—	
Child Marriage Act ...	779,791,801, 802,805
Cow—killing ...	672,673,674, 680,681,682, 684,688,690
Flood relief—elevated grounds for Kuttanad ...	658,661,666, 667,670
Officers—revision of pay and grades of ...	187,192,193, 195
Text Book Committee (Vernacular)—more adequate representation of Tamil in the ..	204
Toll—gate at Nedumangad—abolition of	282,284,286, 287,289,290,291
Water—drinking-supply of ...	242,252,256 259-260-280
Krishna Pillai, Mr. N. K.	
Adjournment motion—	
sale of lands for arrears of land tax ...	131-135,151
Bills—	
Town Planning bill—introduction of ...	49-51
Do. second reading of ...	482-483
Width of Tyres Bill ...	442,459,460
Questions—	
Dispensary at Ottasekharamangalam ...	516
Excise Department—promotions in the ...	515
First Grade Excise Inspectors—appointment of, in 1106 ...	514
General Hospital—Resident Medical Officer ...	600
Honorary Medical Officers ...	507
Irrigation Committee—expenditure on ...	607
Land Mortgage Bank—loans from the ...	722
Do. Legal Adviser to the ...	719
Do. President's status and pay of ...	508

	Pages
Krishna Pillai Mr. N. K. (*continued*).	
Questions (*continued*)	
Loan for the State ...	507
Malayazhma records ...	720
Mr. T. K. Velu Pillai and the Public Library ...	330
Mr. Taylor, Band Director decree againt ...	613
Police at Alleppey—conduct of, towards picketters ...	742
Political prisoners—preferential treatment of ...	232-233
Schools and colleges—fines collected in the ...	705
Secretariat—Mr. C. O. Madhavan's vacancy ...	725
Trivandrum Municipality ...	508
Do. Revenue officer of ...	508
Tuberculosis Hospital ...	517
Resolutions—	
Child Marriage Act ...	811
Remission of land revenue ...	299
Tax remission ...	628
Text—Book Committee (Vernacular) more adequate representation of Tamil in the ...	200 282,284
Toll-gate at Neduvangad—abolition of ...	258-259,262,
Water—(drinking)—supply of ...	273
Krishna Pillai, Mr. S.	
Adjournment motions	
Kaolin monopoly ...	100,131
Tax arrears—sale of lands for ...	136-140,153
Bills :—	
Jenmi and Kudiyan Regulation Amendment Bill ...	65,66,67,68 71,73,79,80, 104,105,108, 109,110,113, 114-116,118, 119,120,121
Life Insurance Bill—introduction of ...	357,358,381,384, 596,597
Provident Insurance Bill Do. ...	583,584,587, 589-595
Town Planning Bill ...	23,29,41-45,57
Do. second reading of ...	474,478,480- 482,558,562, 563,564,579 580,582,

	Pages.
Krishna Pillai Mr. S. (*contd*).	
Bills (*continued*)	
Width of Tyres Bil' ...	442,443,449, 450,465,466
Point of Order: ...	
Failure to supply copies of S. C. Report and Bill to members seven clear days before the day of the meeting ...	350,351
Omission to publish the Town Planning Bill in Tamil also ...	348
Questions— ...	
Agricultural loans applications for in the Karunagapalli taluk ...	319
Do. in Quilon taluk ...	319
Court Decrees corrections in ...	501
Demand notice service of ...	174
Jenmi - Kudiyan Bill ...	226
Land Mortgage Bank—establishment of ...	182-183
Road—Chakkuvalli—Kulasekharapuram road - construction of ...	212-214
Roads—Chavara - Sastancotta road, regravelling of ...	225-226
,, Quilon —Alleppey road ...	223-224
,, Road from the Quilon T. B. to the Kochuplamood Bridge ...	224
Tax (arrears of)—cost of attachment and sale for ...	422-437
Resolutions	
Child Marriage Act ...	766,773,775, 776,777,779, 780,781,783. 784,785,786, 788,792,793 ,802,804,805 806,808,809,813,
Cow killing	672,689
Flood relief—elevated grounds for Kuttanad ...	665
Officers—revision of pay & grades of ...	191
Tax remission ...	296,627,629, 634,640,641, 644-
Toll - gate at Neduvangad—abolition of ...	293
Water (drinking) supply of ...	245-248,253, 267,269,270, 271,275,276, 278

	Pages.
Kumara Pillai, Mr. A.	
Oath of office ...	309
Kunjan Pillai, Rao Sahib. Dr. N.	
Resolutions ...	
Child Marriage Act ...	770,774,775, 798-801
Cow—killing ...	685-688
Kunjitommen Mr. Tarlatu,	
Adjournment motion	
Tax arrears—sale of lands for ...	140-146,156, 160,161,162
Bills	
Jenmi and Kudiyan Regulation Amendment Bill recommittal of—motion *re* ...	61,70,73,77. 122-126
Jenmi-Kudiyan Bill ...	372,374-381 395
Resolutions	
Offfcers—revision of pay and grades of ...	189
Tax remission ...	294,295,297, 298,301,302, 303
Toll-gate at Neduvangad—abolition of ...	285-286
Water (drinking) supply of ...	277
Kunju, Mr. Joseph.	
Adjournment motion	
Tax arrears—sale of lands for	161
Bills	
Jenmi & Kudiyan Regulation Amendment Bill—recommittal of—motion *re* ...	62,63,64,65, 73,77,122, 126
Jenmi-Kudiyan Bill ...	359
Town Planning Bill—second reading of ...	553
Questions —	
Deputy President—nomination of ...	170
Interpellations—answering of ...	732
Land Revenue Manual—Malayalam translation of ...	517
Officers (non-gazetted) drawing of bills by—for departmental expenditure ...	

	Pages.
Kunju, Mr. Joseph—(*contd.*)	
Questions—(*contd.*)	
Padmanabha Pillai, Mr. G. appointment of as Director of Registration ...	713
Pakuthi accountants who have passed Revenue and Account Tests—promotion of ...	520
Public Library—books in the ...	604
(Municipal) Toll-gate at Changanacherry ...	611
Mr. T. K. Velu Pillai and the Public Library ...	332
Vernacular School Teachers—Provident Fund Scheme for ...	233
Resolutions	
Child Marriage Act ...	763
Cow killing ...	679
Flood relief—elevated grounds for Kuttanad ...	656-661, 664, 666, 668, 669, 670, 671
Tax remission ...	303-304, 307, 632, 633, 639, 641, 642, 644, 650
Text-book Committee (Vernacular) more adequate representation of Tamil in the ...	202-203
Kunjukrishna Pillai, Mr. K.	
Bills ...	
Criminal Law Amendment Bill—consideration of ...	18
Jenmi Kudiyan Bill ...	358, 359, 363, 371, 373, 384-386
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion *re* ...	67, 75, 79, 102, 116-110, 121
Muslim Succession Bill—second reading of ...	624-625
Partion Bill—consideration of—postponement of ...	184
Provident Insurance Bill—introduction of ...	587
Town Planning Bill—Introduction of ...	24, 25, 32-36, 38, 39, 44, 46, 47, 48, 54

	Pages.
Kunju krishna Pillai Mr. K (*contd*)	
Bills (*continued*)	
Town planning Bill second reading of ...	469,475,476, 479,485,488, 543,546,565. 570,571,573, 576,577,578. 580,581,582-
Width of Tyres Bill ...	444,454-456, 457,461,464, 467
Point of order	
Whether when there are only 49 members and a seat is vacant, the Council is properly constituted ...	309,310
Questions	
Agricultural loans, East Kalladai ...	504
Chacko, Ag. Clerk, Secretariat ...	726
D. F. O. Mr. Oomman—leave to ...	421-423
Kottayam Municipality ...	611
Manual training in the S. M. V. School ...	397-398
Maniankulam Bridge—condition of ...	228-229
M. L. C's—presence of at the Investiture Durbar ...	321
Municipalities—nominations to ...	745
Observatory—purchase of Radio set for the ...	226-228
Patents and Designs office—misappropriation in the ...	179-181
Picketting in Chalai—police interference in ...	320
Police at Alleppey—enquiry into the conduct of, towards congress volunteers ...	740
Right of the *nominated* Deputy President to represent the *elected* members of the Council ...	343
Sceince College—Botony and Zoology Sections in the—draftsman in the ...	229
State-Aided Bank—opening of a branch at Quilon ...	334
Reply to the new President's welcome to the Council ...	343
Resolutions	
Child Marriage Act ...	697,766,776, 785 787-793, 797,798.799, 801,803,807. 809,812,813

	Pages
Kunjukrishna Pillai Mr. K,(*contd*)	
Questions (*continued*)	
Cow killing ...	671,672,673, 676-678,691
Flood relief—elevated grounds for Kuttanad ..	667,668
Officers— revision of pay and grades of ...	186,187,190, 191
Tax remission ...	296,297,298, 299,305,306, 642-644
Text—book Committee (Vernacular)—more adequate representation of Tamil in the ...	199,200,201-
Toll gate at Neduvangad—abolition of ...	203.285
Water drinking-supply of ...	244-245,253, 258,259,260, 263,265,267, 268,272,274. 276,278,279
L	
Lampard Mr. L. A.	
Oath of office ...	309 182-283, 719,723
Land Mortgage Bank (Vide Questions and answers.)	
M	
McAlpine Mr. E. G.	
Resolution	
Text—book Committee (Vernacular) more adequate representation of Tamil in the—...	201,202 203-205
Madhavan Mr. C. O.	
Bill	
Partition Bill ...	184
Madhavan Nayar, Mr. T. K.	
Bills	
Jenmi and Kudiyan Regulation Amendment Bill—consideration of—motion re— ...	59
Police Regulation Amendment Bill—introduction of ...	58
Oath of Office ...	1

	Pages.
Madhavan Pillai, Mr. K.	
Adjournment motion	
Tax arrears —sale of lands for ...	133,138,142 146,149,150 153,159
Bills	
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion re ..	110,111
Town Planning Bill—introduction of ...	24,29
Questions	
Abkari remissions in 1103 ...	220
Appointments made by Mrs. D. M. Phillipose, Assistant Inspectress of Schools ...	603
Co-operative movement in the State report on— ...	316
Defaulter—pattadars percentage of in 1106 ...	406
Lands assigned in 1106— ...	602
Mineral deposits lands assignment of—prohibition re ...	174
Minor Irrigation Committee—report of—action on the ...	179
(Seasonal) Remission in 1106 ...	212
Sub-Registry Offices ...	602
Do. abolition of some ...	746
Tax arrears—attachment and sale of properties for in 1106 ...	316
Do. lands sold for ...	602
Tettiyar improvements to— ...	506
Water drinking for Ulloor— ...	724
Reference to the late Rao Bahadur K. A. Krishna Iyengar ...	345
Resolutions ...	
Child Marriage Act ...	697,766,767, 769,771,772, 773,781,801, 803.806,807.
Officers—revision of pay and grades of— ..	626.628, 631,649.
Tax remission ...	246,247,257, 253,254,262
Water drinking—supply of ...	186,187, 192,193

	Page
Madhavan Pillai, Mr. K. P. (*Chirayinkil*)	
Adjournment motion	
Tax arrears—sale of lands for— ...	136,137,139 142,146,157
Bills	
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion re— ...	103
Questions	
Abkari contractors—petition from— ...	222
Demand notices—service of— ...	174
Filarial Survey in Trivandrum ...	209
Maternity and Child Welfare scheme .	97
Public Health propaganda in schools ...	97
Railway Customs Office, Trivandrum—inspection of— ...	231-232
Sanitary Engineering introduction of ...	165
Resolutions	
Officers—revision of pay and grades ...	260-261
Text-book Committee (Vernacular) more adequate representation of Tamil in the — ...	195
Toll gate at Neduvangad—abolition of ...	201
Water drinking—supply of ...	285
Madhavan Pillai Mr. K. P. (*Shertallai*)	
Bills	
Town Planning Bill—second reading of ...	479
Questions	
Epidemiologist and Entomologist—functions of	181-18
Shertallai English High School—permanent headmaster for . .	521
Small-pox in 1107—statistics re ...	603
Sub-Assistant Surgeon deputed for filarial survey ...	731
Resolutions	
Child Marriage Act ...	797
Cow killing ...	189,190
Officers—revision of pay ...	674
Tax remission ...	644-645
Water drinking — supply of ...	256,257, 258,264

	Pages.
Madhavan Pillai Mr. K. P.	
Questions	
Elangalloor Swaroopam ...	500
Tax arrears—sale of properties for, in Kalloop-para pakuthi ...	501
Resolutions	
Child Marriage Act ...	765
Tax remission ...	294
Mahomed Mr. P. S.	
Adjournment motion	
Tax arrears sale of lands for ...	154-157
Bills	
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion re— ...	76,118
Jenmi-Kudiyan Bill ...	361,370-374
Muslim succession Bill—second reading of— ...	624,625
Provident Insurance Bill—introduction of ...	585-586, 587,588
Town Planning Bill— introduction of— ...	22-24-45,53
Do. second reading of ...	477,478,546-574 577
Width of Tyres Bill ...	457-458
Questions	
Agricultural loans—allotments for, in 1106 and 1107— ...	316
Appointments in the Revenue Dept., during 1105 and 1106— ...	93-94
Appointments of Mahomedans —Anchal Department ...	208
Do. Central Jail ...	11
Do. Excise Department ...	207-208
Do. Police Department ...	10-11
Do. Medical Department ...	600,749
Do. Registration Department— ...	315
Do Agricultural Department...	315
Do. Electrical Department—...	504
Do. Vernacular Schools— ...	703
Ayurveda Vaidyans—Muslims among— ...	523
Caste-war statement of appointments in the Anchal Department ...	709

	Pages.
Mahomed Mr. P. S.—(*contd.*)	
Questions—(*contd*)	
Caste statement of clerks, compounders, Medical Department— ...	601
Caste statement of appointments in the Water Works — ...	601
Coir industry—particulars re— ...	217-218
Copra and cocoanut oil—fall in price of ...	317
Education Department - Muslim graduates in the— ...	97
E. S. L. C Examination in 1107 .	713
Factories Committee—working of— ...	219-220
Loans and Muslims— ...	318
Motor Service—people engaged in—loss incurred by— ...	12
Pakuthi Accountants—qualifications for— ...	212
P. W. D.—Muslim officers in the— ...	710
Sanitary Department—Muslims in the— ...	12
Tottapalli—bridge at ...	603
Resolutions	
Child Marriage Act ...	797-798
Cow killing ...	689-690
Flood relief elevated grounds for Kuttanad— ...	661
Tax remission ...	638-642
Mahomed Mustapha, Mr. M.	
Bills	
Muslim Succession Bill—second reading of— ..	624-625
Town Planning Bill—introduction of— ...	29
Resolution	
Cow killing ...	675
N	
Narayana Pillai, Mr. A.	
Bills	
Jenmi and Kudiyan Regulation Amendment Bill recommittal of—motion re— ...	104,126, 128,129 586
Provident Insurance Bill—introduction of— ...	478-479
Questions	
Bench Magistrate's court at Vaikom proposal re ...	91-92
Examinations—selection of Assistant examiners for ...	210-212
Hospitals—medicine and staff for— ...	505
Manual training section in the Education Department—expenditure on— ...	221.222

	Pages.
Narayana Pillai Mr. A.—(*contd.*)	
Questions—(*contd.*)	
Roads—Chennanakari—Udayanapuram, and Vaikom Vazhamana Kottaram roads— ...	325
„ Vaikom-Vechur road ...	702
Talayolaparambu—Bridge and embankment at— ...	323
Vaikom hospitals ...	504
Do. inadequancy of staff in the— ...	406
Vaikam V. M. School—complaint against Headmistress ...	708
Resolution	
Child Marriage Act ...	793-797,811
Nadars—(Hindu)—interpellations re— ...	711-713
Narayanaperumal Nadar Mr. K.	
Bills	
Town Planning Bill—second reading of— ...	468,470,471, 472,545,553
Width of Tyres Bill ...	454,460,461, 463,468
Point of Order	
Re the omission to publish the Town Planning Bill in Tamil also ...	346,347,348
Questions	
Agricultural loans ...	701
Appointment of Vernacular school teachers ...	735
Chackai Railway Chowkey—defalcation in— ...	497-498
Demonstration Farms and chemical manures ...	493
Forest Department—Hindu Nadars in ...	711
Industries Department Do.	712
Joint Stock Companies— proposals of the Banking Enquiry Committee re ...	713
Kottar Magistrate's Court—cases filed during 1104-1106, in the— ...	310
Kottar Second Class Magistrate's Court ...	311
Krishnanputur Kal ...	408-410
Manakudi-Rajakamangalam road ...	498
Muttam Channel—extension of ...	231
Pathway between the Manavalakurichi market and Periakulam Ela ...	408
Political meeting in front of the Nagercoil Municipal Office ...	739
Proverthicars and Accountants (Agastisvaram) suspended or dismissed ...	427

	Pages.
Narayanaperumal Nadar Mr, K,	
Questions—(*contd.*)	
Registrar of Joint Stock Companies—inspection work by the ...	736
Registration Department - Hindu Nadars in the— .	712
Royalties Committee ...	402-403
Secretariat—Hindu Nadars in the ...	712
Tanuvan Tampi, Head Constable, Eraniel complaint against ...	710
Valliyar Dam at Talakulam ...	523
Water logging in Parakkai ...	412-413
Resolutions	
Cow killing ...	685
Flood relief—elevated grounds for ...	655
Newspapers subscribed for by Government	
(Vide Questions and Answers.) ...	216-217
Nilakanta Pillai Mr. R.	
Adjournment motion	
Tax arrears—sale of lands for— ...	132,133,134, 144,145,146, 156,157-162
Bills	
Criminal Law Amendment Bill—consideration of— ...	16,19,20
Town Planning Bill—introduction of ...	20-58
Resolutions	
Officers revision of pay and grades of— ...	190-191
Tax remission ...	297,304,305, 652,653
Toll gate at Neduvangad - abolition of ...	283,284
O	
Ophthalmic Hospital accommodation in the (Vide Questions and Answers.) ...	10
P	
Padmanabha Pillai, Mr. N. K.	
Oath of Office ...	309

Padmanabha Panikkar Mr. K.	Pages.
Questions	
Graduate teachers drawing less salary than undergraduate teachers ...	311
Health Officers, Municipalities ...	750
Resolutions	
Flood relief—elevated grounds for Kuttanad ...	655,656,662, 663,668
Tax remission ...	629.649
Paramesvaran Pillai Mr. Kayalam	
Adjournment motion	
Tax arrears—sale of lands for	132.138,139, 145,157
Bills	
Criminal Law Amendment Bill—consideration of— ...	15,16,17, 18,19,20
Jenmi and Kudiyan Regulation Amendment Bill—consideration of—motion re— ..	59
Do. recommittal of—motion re— ...	68.69,70,71,80, 81,102,103, 106,110,114, 115,120,122, 128,129,130
Jenmi Kudiyan Bill ...	351,353.363-365,366,375, 376,392,393, 394,395
Life Insurance Bill—introduction of— ...	596,597,598
Partition Bill—consideration of postponement of— ...	185
Police Regulation Amendment Bill—introduction of— ...	58-59
Police Regulation Amendment Bill ...	346
Provident Insurance Bill—introduction of— ...	583-584,592,595
Town Planning Bill—introduction of— ...	20-22,50,55-58
Do. second reading of ...	346,350,468, 469,473-474, 484,485-486, 534,561,564, 576,577-580, 581,582,583
Width of Tyres Bill ...	441-444, 460-468
Point of order	
Whether the Council is properly constituted when there is a vacancy and when there are only 49 members ...	309,310

	Pages.
Paramesvaran Pillai Mr Kayalam	
Point of order—(*contd.*)	
Omission to publish the Town Planning Bill in Tamil also ...	347,348
Failure to supply copies of S. C. Report and Bill to the members seven clear days before the day of the meeting ...	349-350
Resolutions	
Child Marriage Act ...	694,696,767, 768,770,775, 776,777,778, 781,782-787, 791,792,793, 794,795,798, 802,804,805, 806,811,812, 813,815
Cow killing ...	674-679,684
Flood relief—elevated grounds for Kuttanad— ...	660,665
Officers—revision of pay and grades of— ...	192
Tax remission ...	305,307,636 645-649,652 653
Toll gate at Neduvangad abolition of ...	282
Water (drinking) supply of— ...	248
Point of Order	
Re whether, when one of the seats is vacant and there are only 49 members, the Council is properly constituted ...	309-310
Re failure to supply copies of S. C. report and Bill to the members seven clear days before the day of the meeting. (Ref. S. O. 27)...	349-350
Re omission to publish the Town Planning Bill in Tamil also (Ref. S. O. 35) ...	345,347
Re question time ...	
Re that members must address the Chair ...	744
Re Interpellation time—expiry of ...	641
Re Resolutions as tabled and as moved—difference in the wording of	431
McAlpine Mr. E. G. ...	198
President ...	"
Madhavan Pillai, Mr. K. ...	"
Resolutions—Amendment to notice re	
George Mr. K. ...	281
Paramesvaran Pillai, Mr. Kayalam ...	282

	Pages.
Krishna Pillai Mr. N. K. ...	282
Deputy President ...	282
Krishna Pillai, Mr. E. V. ...	282
Malayalam Translation of amendments —supply of	
Jatavedan Namburipad Mr. V. N. ...	59
President ..	59
Parameswaran Pillai Mr. Kayalam ...	59
Polgreen Mr. L. J. T.	
Adjournment motion	
Tax arrears—sale of lands for ...	150
Police at Alleppey	
Conduct of towards persons who disobeyed the prohibitory orders of the District Magistrate...	761
Political Prisoners— treatement	
(*Vide* questions and answers) . .	232-233
President	
Address to Members . .	1
Adjournment motion	
Kaolin monopoly ...	100,130,131
Tax arrears—sale of lands for ...	13,149;152, 126
Bills	
Chitties Regulation Amendment Bill—non-inclusion of — in the agenda of- -reference to ...	184
Criminal Law Amendment Bill—consideration of	15,17,18
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of motion *re* ...	70,80,81,103 104,105,112, 119,120,121, 126.127:128, 129,130
Jenmi Kudiyan Bill ...	366
Partition Bill—consideration of—postponement of ...	185,186
Police Regulation Amendment Bill—introduction of ...	599.59
Town Planning Bill—introduction of ...	39,47,58
Do second reading of ...	534,573,579 581,582,

	Pages.
Preesidnt (*contd.*)—	
Point of Order —	
Failure to supply copies of S. C. Report and Bill to the members seven clear days before the day of the meeting ..	349,350
Omissson to publish the Town Planning Bill in Tamil also ...	347.348
Reference to the late Rao Bahadur K. A. Krishna Aiyangar ..	348
Resolutions	
Officers—revision of pay and grades of— ...	190,191,193 195,196
Text-book Committee (Vernacular)—more adequate representation of Tamil in the ...	200,201,203 204,205,206
Water (drinking) supply of ...	255, 256, 257, 259, 264, 265, 267
Ruling	
that the Council is properly constituted although there are only 49 members and a seat is vacant ...	310
Welcome address to the Council ...	343
Provident Fund Scheme.	
for Vernacular School Teachers (*Vide* questions and answers) ...	233
Public Health Propaganda in schools.	
(*Vide* questions and answers) ...	97
Public Service.	
(*Vide* questions and answers) ...	

Q.

Questions and Answers.	
Abkari arrears (Mr. K. Krishnan Nayar) ...	315
,, Contractors—petition from (Madhavan Pillai, Mr K. P., (Chirayinkil) ...	222
,, remissions in 1106 (Madhavan Pillai Mr. K.) ...	220
Accountants (Pakuthi) recruitment of (Damodaran Asan. Mr. A. S.) ...	399-401
Miss Achy Eipe of the Women and Children's Hospital (Mr. Rama Varma Raja) ...	492-493
Adur Girls' School-building for (Krishna Pillai, Mr. E. V.) ...	13

Questions and Answers (*contd.*)	Pages.
Agitators—clique of—existence of particulars *re* (Thanu Pillai, Mr. A.) ...	167-170
Agricultural implements—sale of—from the forest Depots in the Tovala taluk (Sundaram Pillai, Mr. N. A.) ...	407
Agricultural loans (Narayanaperumal Nadar Mr. K.).	701
do. allotment for in 1106 and 1107 (Mahomed, Mr. P. S.) ...	316
do. Application for in the Karunagapally taluk Do. in the Quilon taluk (Krishna Pillai, Mr. S.) ...	319
do. East Kalladai (Kunjukrishna Pillai, Mr. K.) ...	504
do. in the Tovala taluk (Sundaram Pillai, Mr. N. A.) ...	406
Allowances paid to officers in 1104, 1105 and 1106. (Mr. Rama Varma Raja) ...	2-3
Almanac and Directory, 1932 (Abraham, Mr. K. P.) ...	749
Ambulance cars (Chandi, Mr. K. C.) ...	707
Aruvikara dam—contract for the construction of (Chattanatha Karayalar, Mr. S.) ...	96-97
Assistant Surgeons with qualification in Tropical diseases—appointment of (Rama Varma Raja, Mr.) ...	83-84
Ayurveda Board—constitution of (Thanu Pillai, Mr. A.) ...	166-167
Ayurveda Director—vacancy of (Krishnan Nayar, Mr. K.) ...	415-416
Bamboo-cultivation (Subramanya Pillai, Mr. R. S.) ...	719
Banking Enquiry Committee—report of—action on (Damodaran Asan, Mr. A. S.) ...	3
Bench Magistrate's Court at Vaikom—proposal *re* (Narayana Pillai, Mr. A.) ...	91-92
Bridges:—	
Bridge (Southern) at Kayamkulam—construction of (Damodaran Asan, Mr. A. S.)...	214-216
,, at Maniamkulam—condition of (Kunjukrishna Pillai, Mr. K.) ...	228-229
,, at Neriamangalam—construction of (Abraham, Mr. K. P.) ...	166
,, at Pulikizh, on the Mavelikara-Thrikkunnapuzha road—construction of a (Damodaran Asan, Mr. A. S.) ...	88-89
,, and embankment—Talayolaparambu (Narayana Pillai, Mr. A.) ...	332

Questions and Answers—(*Contd.*) Pages.

Bus collision in the Muvattupuzha-Todupuzha road (Abraham, Mr. K. P.) ... 416-417

Bus Drivers' strike, 1106 (Subramanya Pillai, Mr. R. S.) ... 312

Bus traffic on the Kayamkulam-Nangyarkulangara road (Damodaran Asan, Mr. A. S.)... 401

Canals :—

Irrigation canals in Tonnallur pakuthi—improvements to (Damodaran Asan, Mr. A. S.) ... 5

Krishnanputurkal (Narayanaperumal Nadar Mr. K.) ... 408-410

Muttam Channel—extension of (Narayanaperumal Nadar, Mr. K.) ... 231

Muzhikkal- Parumala canal—widening of (Krishnan Nayar, Mr. K.) ... 212

Caste statement *re*—Anchal Department (Mahomed, Mr. P. S.) ... 709

,, of clerks, compounders—Medical Dept, (Mahomed, Mr. P. S.) ... 601

,, of constables (Krishnan Nayar, Mr. K.) ... 525

,, Proverthicars and Accountants—Kalkulam and Vilavancode taluks (Subramanya Pillai, Mr. R. S.) ... 401-402

,, Appointments in the Water Works Division (Mahomed, Mr. P. S.) ... 601

C. V. Records Office—copies of records from (Thanu Pillai, Mr. A.) ... 431

Chackai Railway Chowkey—defalcation in (Narayanaperumal Nadar, Mr. K.) ... 497-498

Chacko, Ag. Clerk, Secretariat (Kunjukrishna Pillai, Mr. K.) ... 726

Chengannur Magistrate's Court (Kocheeppan Mappillai, Mr. K. I.) ... 746

Chief Engineer—visit of, to workspots (Krishnan Nayar, Mr. K.) ... 710

Chitties (Abraham, Mr. K. P. and Krishna Pillai, Mr. E. V.) ... 313, 314

Coir Industry—particulars *re* (Mahomed, Mr. P S.) ... 217-218

Communal representation in service (Krishnan Nayar, Mr. K.) ... 514

Constable recruits—discharge of (Krishnan Nayar, Mr. K.) ... 751

	Pages.
Questions and Answers—(*contd.*)	
Constructional Engineering Firms in Travancore (Abraham, Mr. K. P.) ...	91
Co-operative Bank (Pattanamtitta taluk) working of (Krishnan Nair, Mr. K.) ...	94-95
,, Inspector, Pattanamtitta taluk—complaint against the (Krishnan Nayar, Mr. K.) ...	95
,, movement in the State—report on (Madhavan Pillai, Mr. K.) ...	316
,, Societies (Thanu Pillai, Mr. A.) ...	726
Copra and cocoanut oil—fall in price of (Mahomed, Mr. P. S.) ...	317
Court decrees—corrections in (Krishna Pillai, Mr. S.) ...	501
Covenanted Officers—T. A. of the (Rama Varma Raja, Mr.) ...	85
Curator—loss of a *grandham* from the office of the (Rama Varma Raja, Mr.) ...	418-419
Do. touring work of (Rama Varma Raja, Mr.) ...	705
Demand notice fees—(Damodaran Asan, Mr. A. S.) ...	718
Demand notices—service of (Madhavan Pillai, Mr. K. P., Chirayinkil) ...	174
Do. (Krishna Pillai, Mr. S.) ...	174
Demonstration Farms and chemical manures (Narayanaperumal Nadar, Mr. K.) ...	493
Depressed Classes—appointment of, in the Electrical Department (Joseph, Mr. John)...	509
,, lands assigned to (Krishnan Nayar, Mr. K.) ...	315
Deputy President—nomination of (Kunju, Mr. Joseph) ...	170
Dispensaries :	
Dispensary—need of a, at Karimannoor (Abraham, Mr. K. P.) ...	12
,, at—Kottapadi—opening of a (Abraham, Mr. K. P.) ..	410
,, at Ottasekharamangalam (Krishna Pillai, Mr. N. K.) ...	516
Elangallur Swaroopam (Madhavan Pillai, Mr. M. P. ...	500
English School Leaving Certificate Examination, 1107 (Mahomed, Mr. P. S.) ...	713

Questions and Answers—(contd.)	Pages.
Epidemiologist and Entomologist—functions of—(Madhavan Pillai, Mr. K. P., Shertallai) ...	181182
Excise Department—promotions in the (Krishna Pillai, Mr. N. K.) ...	515
Excise Inspectors, I Grade—appointment of in 1106 (Krishna Pillai, Mr. N. K.) ...	514
Factories Committee—working of (Mahomed, Mr. P. S.) ...	219-220
Ferry boat at the Kumbazha crossing—capsizing of (Krishnan Nayar, Mr. K.) ...	165
Filarial Survey in Trivandrum (Madhavan Pillai, Mr. K. P., Chirayinkil, ...	209
Filarial Survey—Sub-Assistant Surgeon deputed for (Madhavan Pillai, Mr. K. P.) ...	731
First Class Magistrate's Court at Alwaye—abolition of (Abraham, Mr. K. P.) ...	179
Flood relief measures (Gopalakrishna Pillai, Mr. K.) ...	606
Do. in the Kottayam Division in 1106 expenditure for (Abraham, Mr. K. P.) ...	7-8
Do. in the Parur and Kunnatnad taluks amount spent on (Gopalakrishna Pillai, Mr. K.) ...	322
Forest Department—Hindu Nadars in the (Narayanaperumal Nadar, Mr. K.) ...	711
Gazette—issue of copies to Firms outside the State (Abraham, Mr. K. P.) ...	91
General Hospital—Resident Medical Officer (Krishna Pillai, Mr. N. K.) ...	600
Graduate teachers drawing less salary than non-graduate teachers (Padmanabha Panikkar, Mr. K.) ...	311
Green leaf manure—passes for in the Tovala taluk (Sundaram Pillai, Mr. N. A.) ...	407
Head Constables—appointment of—as Inspectors—(Krishnan Nair, Mr. K.) ...	525
Health Officers, Municipalities—(Padmanabha Panikkar, Mr. K.) ...	750
Hospitals—Medicine and staff for (Narayana Pillai, Mr. A.) ...	505
Hospital, Kottayam—smuggling of drugs from—(Chandi, Mr. K. C.) ...	747
Huzur Medical Stores—expenditure during 1101 to 1106, for—(Krishnan Nair, Mr. K.) ...	165-166

Questions and Answers—(*contd.*)	Pages.
Inspectress—work of—(Krishna Pillai, Mr. E. V.) ...	318
Interpellations received and answered during the Budget session in 1106—(Krishna Pillai, Mr. E. V.) ...	8-10
Interpellations—answering of—(Kunju Mr. Joseph) ...	732
,, (Gopalakrishna Pillai, Mr. K.) ...	737
Irrigation Committee—expenditure on—(Krishna Pillai, Mr. N. K.) ...	607
Irrigation facilities in Cheruvalakara Vayal in Thonnallur pakuthi. (Damodaran Asan, Mr. A. S.) ...	5
Jenmi-Kudiyan Bill—(Krishna Pillai, Mr. S.) ...	226
Jenmi Kudiyian Regulation Amendment Bill—(Abraham, Mr. K. P.) ...	218-219
Joint Stock Companies—proposals of the Banking Enquiry Committee. (Narayanaperumal Nadar, Mr. K.) ...	713
Judicial transfer of cases from the Chengannur Munsiff's Court to the Adur Munsiff's Court (Krishnan Nair, Mr. K.) ...	222-223
Judiciary—recruitment of (Krishnan Nair, Mr. K.) ...	513
Kadakkad School building—(Damodaran Asan, Mr. A. S.) ...	608
Kerala Society papers—article in the, on Travancore, a hundred years ago—(Thanu Pillai, Mr. A.) ...	428-431
Kottar Magistrate's Court—cases filed during 1104-1106 (Narayanaperumal Nadar, Mr. K.) ...	310
Kottar Second Class Magistrate's court (Narayanaperumal Nadar, Mr. K.) ...	311
Kottarakara taluk—inclusion of Mailom pakuthi in the—(Krishna Pillai, Mr. E. V.) ...	317
Kottayam Municipality—(Kunjukrishna Pillai, Mr. K.) ...	611
do. proceedings of conduct of the President—(Thomas Mr. O. M.) ...	209
Kottayam Municipal Council Office—alleged trespass by Mr. M. N. Abraham, into (Thomas, Mr. O. M.) ...	171-173

	Pages.
Questions and Answers—(*contd.*)	
Kudivila claims—(Sundaram Pillai, Mr. N. A.) ...	719
Kudivila on teak logs in the Ponmana pakuthi—(Sundaram Pillai, Mr. N. A.) ...	407-408
Kumara Pillai, Mr. V. of the Devaswom Commissioner's Office—(Krishnan Nair, Mr. K.) ...	728
Land assigned in 1106 (Madhavan Pillai, Mr. K.) ...	602
Lands on 99 years' lease (Krishna Pillai, Mr. E. V.) ...	314
Lands--registry of—in the name of Mr. C. M. Korah—(Krishna Pillai, Mr. E. V.) ...	411-412
Land Mortgage Bank —establishment of (Krishna Pillai, Mr. S.) ...	182-183
,, legal Adviser to the—(Krishna Pillai, Mr. N. K.) ...	719
,, loans from (Krishna Pillai, Mr. N. K.) ...	722
,, minimum for loans from (Damodaran Asan, Mr. A, S.) ...	610
Land Revenue Manual—Malayalam translation of (Kunju Mr. Joseph) ...	517
Legislative Council—voting strength of the different constituencies (Damodaran Asan, Mr. A. S.) ...	730
,, Members-presence of—at the Investiture Darbar—Kunjukrishna Pillai, Mr. K. (Abraham, Mr. K. P. and Krishna Pillai, Mr. E. V.) ...	321
Leper Asylum—shifting of (Krishnan Nair, Mr. K.) ...	318
L. M. P's—status and pay of (Krishna Pillai, Mr. N. K.) ...	508
Life Insurance Companies in Travancore—control over (Chattanatha Karayalar, Mr. S.) ...	221
Loan for the State (Krishna Pillai, Mr. N. K.) ...	507
Malayazhma records (Krishna Pillai, Mr. N. K.) ...	720
Manakudi lake—silting up of (Chattanatha Karayalar, Mr. S.) ...	410-411
Manual training in the S. M. V. School (Kunjkrishna Pillai, Mr. K) ...	397-398

	Pages
Questions and Answers—(*Contd.*)	
Manual Training Section of the Education Department-expenditure on the—(Narayana Pillai, Mr. A.) ...	221-222
Maternity and Child Welfare Scheme—(Madhavan Pillai, Mr. K. P.) ...	97
Medical College, Madras-Travancore students of—(Damodaran Asan, Mr. A. S.) ...	727
Medical Officers—(Honorary) (Krishna Pillai, Mr. N. K.) ...	507
Mr. T. K. Velu Pillai, and the Public Library (Damodaran Asan, Mr. A. S. ; (Thanu Pillai, Mr. A.) ; (Krishna Pillai, Mr. N. K. ; (Krishnan Nair, Mr. K.) ; and (Kunju Mr. Joseph.) ...	325-334
Mineral deposit-lands assignment of-prohibition re—(Madhavan Pillai, Mr. K.) ...	174
Minor Irrigation Committee-report of-action on the (Madhavan Pillai, Mr. K.) ...	179
Motor buses-plying between Trivandrum and Nagercoil-timings of-alteration of—(Thanu Pillai, Mr. A.) ...	178-179
Motor service-loss incurred by people engaged in—(Mahomed, Mr. P. S.) ...	12
Municipalities-grants to—(Gopalakrishna Pillai, Mr. K.) ...	745
,, nominations to-(Kunjukrishna Pillai, Mr. K.) ...	745
Muslim Ayurveda Vaidyans—(Mahomed, Mr. P. S.) ...	523
Muslims and loans—(Mahomed, Mr. P. S.) ...	318
Nagercoil Courts-housing of—(Sundaram Pillai, Mr. N. A.) ...	719
Nangiyarkulangara toll-gate-compounding of tolls on cycles at the (Damodaran Asan, Mr. A. S.) ...	6
Newspapers subscribed for by Government—(Krishna Pillai, Mr. E. V.) ...	216-217
Nilamel-opening of a market at—(Krishna Pillai, Mr. E. V.) ...	398-399
Observatory-Radio set for the-purchase of—(Kunjukrishna Pillai, Mr. K.) ...	226-228
Officers confirmed with retrospective effect—(Krishnan Nair, Mr. K.) ...	707

	Pages.
Questions and Answers—(*Contd.*)	
Officers-special favours to—(Krishnan Nair, Mr. K.) ...	707
(Non-gazetted) Officers-drawing of bills by, for departmental expenditure—(Kunju Mr. Joseph) ...	510
Mr. Oommen, Divisional Forest Officer-leave to—(Thanu Pillai, Mr. A. and Kunju-(Krishna Pillai, Mr. K.) ...	421-423
Opthalmic Hospital-accommodation in the—(Damodaran Asan, Mr. A. S.) ...	10
Oriental Manuscripts—publication of—(Krishnan Nair, Mr. K.) ...	709
Padmanabha Pillai, Mr. G. appointment of as Director of Registration—(Kunju Mr. Joseph) ...	713
Pakuthi accountants-qualifications for—(Mahomed, Mr. P. S.) ..	212
Pakuthi accountants	
,, who have passed Revenue and Account Tests-promotion of—(Kunju Mr. Joseph) ..	520
Pantalam Sub Registry Office—(Krishnan Nair, Mr. K.) ...	731
Pantalam-Tonnallur Nayar Co-operative Society-memorial from the President of the—Damodaran Asan, Mr. A. S.) ...	599
Parur Sub Registry Office-Do. comments registered in, in 1106 (Abraham, Mr. K. P.) ...	432
Patents and Designs Office-misappropriation in the—(Kunjukrishna Pillai, Mr. K.) ...	179-181
Peishkars-inspection by, of Co-operative Societies—(Thanu Pillai, Mr. A.) ...	724
Periyar Dam—(Gopalakrishna Pillai, Mr. K.) ...	417-418
Picketing in Chalai-police interference in—(Kunjukrishna Pillai, Mr. K.) ...	320
Pipe carts—purchase of—(Krishnan Nair, Mr. K.) ...	163-164
Police-ill treatment by, of persons arrested for disobeying the prohibitory orders—(Goprlakrishna Pillai, Mr. K. ...	738
,, (Krishna Pillai, Mr. N. K.) ...	742
,, (Krishnan Nair, Mr. K.) ...	740
,, Kunjukrishna Pillai, Mr. K.) ...	740

	Pages
Questions and Answers – (*Contd*)	
Police force-moral standard among the—(Gopalakrishna Pillai, Mr. K. ...	523
Political meeting in front of the Nagercoil Municipal Office—(Narayanaperumal Nadar, Mr. K.) ...	739
Political prisoners-prefential treatment of—(Krishna Pillai Mr. N. K.) ...	232-233
Poottodu-Lock at the-construction of a—(Damodaran Asan, Mr. A. S.) ...	85
Proverthikars and Accountants (Agastisvaram) suspended or dismissed—(Narayanaperumal Nadar, Mr. K.) ...	427
Public examinations-selection of assistant Examiners for the—(Narayana Pillai, Mr. A.) ...	210-212
Public Health propaganda in schools—Madhavan Pillai, Mr. K. P.) ...	97
Public Library-books in the—(Kunju Mr. Joseph,) ...	604
,, Honorary Secretary of the Krishnan Nair, Mr. K.) ...	334
Public Service:	
Acting hands in the office of the Curator for the Publication of Oriental Manuscripts. (Rama Varma Raja, Mr.) ...	214
,, Appointments made by the Account Officer in 1106 and 1107. (Krishnan Nair, Mr. K.) ...	315
Appointments made in the Registration Department—(Mahomed, Mr. P. S.) ...	315
Do. in the Agricultural Department. (Mahomed, Mr. P. S.) ...	315
Do. in the Revenue Department during 1105, and 1106. (Mahomed Mr. P. S.) ...	93-94
Do. in the Electrical Department—(Mahomed, Mr. P. S.) ...	504
Do. in Vernacular Schools - (Mahomed, Mr. P. S.) ...	703
Do. of Mahomedans in the Anchal Department—(Mahomed, Mr. P. S.) ...	208
Do, Do. in the Excise Department. (Mahomed, Mr. P. S.) ...	207-208
Appointments in the Medical Department (Mahomed, Mr. P. S) ...	749

Questions and Answers—(*Contd.*)	Pages.
Public Service—(*contd.*)	
Appointment of Vernacular school teachers—(Narayanaperumal Nadar, Mr. K.) ...	735
Appointments—Circular *re* filling of vacancies in the several offices—(Krishna Pillai Mr. E. V.) ...	8
Appointments made by Mrs. D. M. Philipose, Assistant Inspectress of Vernacular Schools (Madhavan Pillai, Mr. K. P.) ...	603
Appointments in the Medical Department—(Mahomed, Mr. P. S.) ...	600
Muslims—appointments of, in the Central Jail—(Mahomed, Mr. P. S.) ...	11
Muslims—appointment of, in the Police Department—(Mahomed, Mr. P. S.) ..	10-11
Muslims employed in the Sanitary Department—(Mahomed, Mr. P. S.) ...	12
Muslim graduates—appointment of, in Schools—(Mahomed, Mr. P. S.) ...	97
(P. W. D.)—Muslim officers in the (Mahomed, Mr. P. S.) ...	710
Traffic Inspector of Kottayam transfer of (Thomas, Mr. O. M.) ...	11-12
Waiting list and appointments in the Huzur (Krishnan Nair, Mr. K.) ...	164
Do. in the Land Revenue Department (Krishnan Nair, Mr. K.) ...	173
Industries Department—Hindu Nadars in the—(Narayanaperumal Nadar, Mr. K.) ...	712
Public Works in Karunagapalli and Mavelikara taluks—(Damodaran Asan, Mr. A. S.) ...	89
Railway Customs Office, Trivandrum—inspection of—(Madhavan Pillai, Mr. K. P. Chirayinkil) ...	231-232
Raman Pillai, Mr. C. N., Ayurveda Physician-Grant-in-aid to—(Damodaran Asan. Mr. A. S.) ...	5-6
Ramaswamy Iyer Sir, C. P.—functions of,—(Thanu Pillai, Mr. A.) ...	419-420
Registration Department—Hindu Nadars in the (Narayanaperumal Nadar, Mr. K.) ...	712
Registrar of Joint Stock Companies-inspection work by the—(Narayanaperumal Nadar, Mr. K.) ...	736
Resolutions passed at a public meeting held at Kottayam on the 5th Vrischikam 1107—(Thomas, Mr. O. M.) ...	164-165

	Pages.
Questions and Answers —(*Contd.*)	
Retrenchment Committee—(Chandi, Mr. K. C.) .	716
Revenue Courts—dating of petitions presented to r(Abaham, Mr. K. P.) ..	320
Do. petitions to —(Abraham, Mr. K. P.) ...	726
Revenue and expenditure of the State in 1106 —(Abraham, Mr. K. P.) ...	90
Revenue Officers—recruitment from the Bar-(Abraham, Mr. K. P.) ...	170-171
Roads :	
Road faom Avaniswaram to Anchal *via* Tadikad—opening of a—(Chattantha Karayalar, Mr. S.) ...	173-174
,, Chakkuvalli-Kulasekharapuram road-construction of—(Krishna Pillai, Mr. S) ...	212-214
,, Charumood-Mankuzhi road-construction of a culvert on the—(Damodaran Asan, Mr. A. S.) ...	85
,, Chavara-Sasthancotta road-regravelling of (Krishna Pillai, Mr. S.) ...	225-226
,, Chemmanakarai-Udayanapuram and Vaikam-Vazhamana Kottayam roads—(Narayana Pillai, Mr. A.) ...	325
,, Haripad-Elangom road-gravelling of the (Damodaran Asan, Mr. A. S.) ...	86-87
,, Kayamkulam-Karthikapalli road-first section of—Damodaran Asan, Mr. A. S.) ..	84-85
,, Kayamkulam-Karthikapalli road-metalling of—(Damodaran Asan, Mr. A. S. ...	3-5
,, Road from Kottapadi to meet the Perumpavur-Kotamangalom road-opening of a (Abraham, Mr. K. P.) ...	218
,, Kottayam-Kumarakom road-conversion into a cart road of—(Thomas, Mr. O. M.) ...	209-210
,, Kuttanperur-Chengannur road Rama Varma Raja, Mr.) ...	491-492
,, Manakudi-Rajakkamangalam Road —(Narayanaperumal Nadar, Mr. K.) ...	498
,, (certain) in Mavelikara and Kartikapalli taluks-gravelling of—(Damodaran Asan, Mr. A. S.) ...	87-88

Questions and Answers—(*Contd.*)	Pages.
Roads :	
,, Panachamood-Kochikkal and Valiyaperumpuzha-Mannar roads—(Damodaran Asan, Mr. A. S.) ...	403-405
,, Pathway between the Manavalakurichi Market and the Periakulam Ela—(Narayanaperumal Nadar, Mr. K.) ...	408
,, Ryots' roads in the Pathanamthitta taluk-particulars re—(Krishnan Nair, K.)...	95
,, Quilon-Alleppey road-remetalling of the first mile of—(Krishna Pillai, Mr. S.)...	223-224
,, Road from the Quilon T. B. to the Kochupilamood Bridge (Krishna Pillai, (Mr. S.) ...	224
,, Thrikkariyur temple road (Abraham, Mr. K. P.) ...	89-90
,, Vaikam-Vechur road—(Narayana Pillai, Mr. A.) ...	702
Royalties Committee (Narayanaperumal Nadar, Mr. K.) ...	402-403
Salaries and pensions in 1106-expenditure on—(Abraham, Mr. K. P.) ...	90
Salaries of certain officers-expenditure on, in 1106—(Abraham, Mr. K. P.) ...	90
Salary-cut—(Chandi, Mr. K. C.) ...	717
Salt licensees at Thamaracolam-concessions to—(Govindan, Mr. M.) ...	413-415
Sanitary Engineering-introduction of—(Madhavan Pillai, Mr. K. P), (Chirayinkil) ...	165
Sanskrit Schools (aided)-grant in aid to teachers of—(Damodaran Asan, Mr. A. S.) ...	747
Satyagraha prosecutions (Suchindram)-conduct of-appointment of a Special Officer for the—(Krishna Pillai, Mr. E. V.) ...	175-176
Do. Do. (Govindan, Mr. M.) ...	177
Schools and Colleges-fines collected in—(Krishna Pillai, Mr. N. K.) ...	705
Science College-Botony and Zoology Sections of the—draftsman in the—(Kunjukrishna Pillai, Mr. K.) ...	229
,, promotions in the (Krishnan Nair, Mr. K.) ...	704
Secretariat-Hindu Nadars in the—(Narayanaperumal Nadar, Mr. K.) ...	712
,, Mr. C. O. Madhavan's vacancy (Krishna Pillai, Mr. N. K.) ...	725

	Pages.
Questions and Answers—(*Contd.*)	
(Mr. Netto's) Shank monopoly—(Thanu Pillai, Mr. A.) .	494-497
Shertallai English High School-permanent Headmaster for—(Madhavan Pillai, Mr. K. P.) ...	521
Silk industry—(John Joseph, Mr. N.) ...	606
Small-pox in Parur—(Gopalakrishna Pillai, Mr. K.) ...	716
Small-pox in 1107-statistics *re* (Madhavan Pillai, Mr. K. P.) ...	603
Spinning in Schools-teaching of—(Krishna Pillai, Mr. E. V.) ...	230, 231
Sreenivasa Iyer, Mr. M. Supervisor, P. W. D. (Krishna Pillai, Mr. E. V.) ...	166
State Aided Bank-opening of a branch at Quilon—(Kunjukrishna Pillai, Mr. K) ...	334
Stationery Department—purchase of leather for the use of the—(Rama Varma Raja, Mr.) ...	1-2
do. tenders for the supply of stationery articles to Government in 1106 (Krishna Pillai, Mr. E. V.) ...	92
Sub-Assistant Surgeons-(unqualified) (Rama Varma Raja, Mr.) ...	728
Sub Registry Offices—(Madhavan Pillai, Mr. K,) ...	602
,, (Damodaran Asan, Mr. A. S.) ...	730
,, abolition of some (Madhavan Pillai, Mr. K.) ...	746
,, abolition of some—(Madhavan Pillai, Mr. K.) ...	432
,, abolition of-selection for—(Abraham, Mr. K. P.) ..	
,, Kothamangalam-abolition of—(Abraham, Mr. K. P.) ...	745
,, documents registered in-least number of—(Abraham, Mr. K. P.) ...	432
Sub Registry Office, Kothamangalam-abolition of (Abraham, Mr. K. P.) ...	431-432
Swaminatha Sastri Mr. C. S. retired *Sirkar* Vakil-engagement of, for conducting prosecutions before the Quilon Sessions Court—(Krishna Pillai, Mr. E. V.) ...	92-93
Tanuvan Tampi, Head Constable, Eraniel-complaint against—(Narayanaperumal Nadar, Mr. K.) ...	710

	Pages.
Questions and Answers—(*Contd.*)	
Tariff value of cocoanut products (Gopalakrishna Pillai, Mr. K.) ...	499
Tax arrears – attachment and sale of properties for, in 1106—(Madhavan Pillai, Mr. K.) ...	316
Do.—land sold for—(Madhavan Pillai, Mr. K,) ...	602
Tax (arrears of)-cost of attachment and sale for—(Krishna Pillai, Mr. S.) ...	423-427
Tax arrears-sale of properties for, in Kalloop-para pakuthi—(Madhavan Pillai, Mr. M. P.) ...	501
Tax-coercive steps for, in the Muvattupuzha and Todupuzha taluks—(Abraham, Mr. K. P.) ...	405
Tax-coercive steps for the recovery of land revenue in Tovala taluk in 1106—(Sundaram Pillai, Mr. N. A.) ...	220-221
Tax-defaulter-pattadars-percentage of in 1106—(Madhavan Pillai, Mr. K.) ...	406
Tax remissions-seasonal, in 1106—(Madhavan Pillai, Mr. K.) ...	212
Mr. Taylor, Band Director-decree against—(Krishna Pillai, Mr. N. K.) ...	613
Teachers (acting) (Gopalakrishna Pillai, Mr. K.) ...	706
Tettiyar-improvements to—(Madhavan Pillai, Mr. K.) ...	506
(Municipal) Toll-gate at Changanacherry—(Kunju Mr. Joseph) ...	611
Tollgate at Neduvangad-abolition of (Chattanatha Karayalar, Mr. S.) ...	208-209
Tottapalli—bridge at—(Mahomed, Mr. P. S.) ...	603
Travelling Allowance drawn by officers on Rs. 200 and above, in 1106—(Abraham, Mr. K. P.) ...	91
Trespass in Aramboly and Azhakiapandipuram prosecutions for, started by the Forest Rangers in 1106 (SundaramPillai, Mr. N. A.)..	317
Trivandrum Municipality—(Krishna Pillai, Mr. N. K) ...	508
Do. Revenue Officer of—(Krishna Pillai, Mr. N. K.) ...	508
Tuberculosis Hospital—(Krishna Pillai, Mr. N. K.) ...	517

	Pages.
Questions and Answers—(*concld.*)	
Vaikom Hospital—(Narayana Pillai, Mr. A.) ...	504
Vaikom Hospital – inadequacy of staff n the—(Narayana Pillai, Mr. A.) ...	406
Vaikam V. M. School Head Mistress—complaint against—(Narayana Pillai, Mr. A.) ...	708
Vlliyar Dam at Talakulam—(Narayanaperumal Nadar, Mr. K.) ...	523
Voluttedathu Nayars—(Damodaran Asan, Mr. A. S.) ...	729
Vernacular School, Punalur—shifting of—(Chattanatha Karayalar, Mr. S.) ...	95-96
Vernacular school teachers—Provident Fund Scheme for—(Mr. Joseph Kunju ...	233
Village Panchayat—(Chattanatha Karayalar, Mr. S.) ...	735
Warkalai Beach-bathrooms in the—(Chandi, Mrs. Anna) ...	715
Water (drinking) for Ulloor—(Madhavan Pillai, Mr. K.) ...	724
Waterlogging in Parakkai—(Narayanaperumal Nadar, Mr. K.) ...	412-413
Water Works Division—expenditure for—(Krishnan Nayar, Mr. K.) ...	520
Wells—need for sinking, in Akarakettu village, Shencottah taluk—(Chattanatha Karayalar, Mr. S.) ...	173
Women's College—Tamil Pandit in the—(Subramanya Pillai, Mr. R. S.) ...	6-7
R	
Ramakrishna Aiyar, Mr. T. V.	
Oath of Office. ...	1
Raman Namputiripad, Mr. N.	
Bills—	
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion *re* ...	79-81, 100-102, 103
Jenmi-Kudiyan Bill ...	360-361
Oath of Office ...	1
Raman Tampi, Dr. K.	
Resolutions.	
Child Marriage Act ...	801-807
Water—(drinking)—supply of ...	724-277

R	Pages.
Rama Varma Raja, Mr.	
Bills—	
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion *re* ...	115, 116
Jenmi—Kudiyan Bill ...	361
Town Planning Bill—second reading of ...	489, 534-539, 543, 544
Width of Tyres Bill ...	461, 462, 466
Questions	
Allowances paid to officers in 1104, 1105 and and 1106 ...	2-3
Assistant Surgeon with qualification in Tropical diseases—appointment of ...	83-84
Miss Achy Eipe of the Women and Children's Hospital ...	492-493
Covenanted officers—T. A. of the ...	85
Curator—loss of a *grandham* from the Office of ...	418-419
Do. touring work of ...	705
Curator's office—acting hands in the ...	214
Kuttenperur-Chengannur Road ...	491-492
Leather for the use of the Stationery Department—purchase of ...	1-2
Sub-Assistant Surgeons (Unqualified) ...	728
Resolutions	
Child Marriage Act ...	693-699, 766, 773, 777, 799, 810, 811, 812.
Cow-killing ...	672, 676, 681, 690-692
Flood relief—elevated grounds for Kuttanad ..	658
Officers—revision of pay and grades of ...	196
Reference to the late Rao Bahadur K. A. Krishna Aiyengar ..	344-345
Resolutions.	
Child Marriage Act ...	693-699, 761-815
Do. closure motion *re* ...	797
Cow killing ...	671-693
Flood relief—elevated ground for Kuttanad ...	655-671
Officers—reduction of pay of—(not moved) ...	196
Officers—revision of pay and grades of ...	186-196
Tax remission— ...	293-307, 625-654

	Pages.
Resolutions—(*contd.*)	
Text Book Committe (Vernacular)—more adequate representation of Tamil qualified persons in the ...	196-205
Toll-gate at Neduvangad—abolition of ...	281-293
Vallams used for agricultural purposes—tax on abolition of (not moved) ...	186
Water—drinking—supply of ...	241-281
Retrenchment Committee—(*Vide* questions and answers)— ...	716
Robinson, Mr. S. C. H.	
Adjournment motion.	
Tax arrears—sale of lands for ...	139, 147, 149-154
Oath of Office ..	1
Resolutions.	
Flood relief—elevated grounds for Kuttanad...	661, 662, 663, 669, 670
Officers—revision of pay and grades of ...	189, 190
Tax remission ...	305, 306, 625, 631, 636, 637-650, 653, 654
Rulings:	
Language used by members while addressing the House—convention *re* permission to speak in Tamil to a member who usually speaks in Malayalam—disallowance of ...	196
That members must speak in one language ...	624
Matters not included in the Agenda—Statement *re*—admissibility of ...	184
Members seats of—change of—permission of President to ...	59
General.	
The question as to why Government wanted to take from normal revenues for starting works such as the Railway and the Water supply, does not arise in a debate on the resolution dealing with the remission of land revenue ...	296
Question to a member raising a poinint of order—disallowance of ...	198
Resolutions—discussion *re*—general principles	
Resolution *re* the abolition of the toll-gate at Neduvangad—discussion *re* other toll-gates—disallowance of ...	282, 284, 291.

	Pages.
Rulings—(*concld.*)	
Resolutions	
Unparliamentary languages in the course of discussion – use of ...	195-196
Twenty minutes are allowed to the mover of a resolution only when he *moves* the resolution ...	652
That, ordinarily, questions should be asked only to get information ...	630
Questions should be addressed to the Chair ...	641
(By **Deputy President**.)	
That there is no absolute rule that question time must expire with the first hour each day ...	745
That a motion for the postponement of the consideration of the report of the Second Select Committee on a Bill (The Committee of recommittal) could be made only under Standing Order No. 26. ...	361-365
Suggesting that members should not put too many questions to the members in possession ...	369
That it would be more useful to allow the member in possession to complete his speech and then attempt to question him ...	354
That the omission to publish a Bill in Tamil is not fatal to the Council proceeding with the considerstion of the Bill--(Ref. Standing order No. 35) ...	348
That the Council *is* properly constituted although a seat may be vacant and there are only 49 members ...	310
Withdrawal of a motion ...	671
No point of order can be raised when the President (or Deputy President) while presiding is on his legs ...	812, 813
No member can question the right of the Chair to call upon any member to speak ...	809
S	
Satyaagraha at Suchindram—prosecutions re— Special Officer for conducting – (*Vide* Questions and Answers)— ...	175-176
Spinning—teaching of—(*Vide* Questions and Answers) – ...	230-231

	Pages.
Standing orders—	
Standing Orders 35 and 37—publication and supply of Select Committee's reports — (*Vide* Partition Bill—postponement of—) ...	184-186
Statement laid on the table— ...	13-14
Subrahmanya Pillai, Mr. R. S.	
Adjournment motion—	
Sale of lands for arrears of land tax— ...	147-148
Bills —	
Jenmi-Kudiyan Bill— ...	357, 359, 373
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion *re*— ...	65
Questions	
Bamboo Cultivation ...	719
Bus Drivers' strike, 1106— ...	312
Proverthicars and Accountants (Kalkulam and Vilavancode taluks)—statement, by caste, of— ...	401-402
Women's College—Tamil Pandit in the ...	6-7
Resolutions	
Child Marriage Act ...	669, 761-765
Cow-killing ...	674, 675, 679 680, 689
Tax remission— ...	639, 641, 646
Text Book Committee (Vernacular)—more adequate representation of Tamil in the— ...	196-200, 202, 203, 205
Toll-gate at Neduvangad abolition of— ...	287
Water (drinking)—supply of ...	261-263, 276 277
Sundaram Pillai, Mr. N. A.	
Questions -	
Agricultural loans in the Tovala taluk— ...	406
Coercive steps for the recovery of land revenue in Tovala taluk in 1106 ...	220-221
Courts in Nagercoil—housing of— ...	719
Green leaf manure passes for, in the Tovala taluk— ...	407
Kudivila claims ...	719
Kudivila on teak logs in the Ponmana pakuthi—	407-408
Sale of agricultural implements from the forest Depots in the Tovala taluk ...	407
Trespass in Aromboly and Azhakiapandiapuram—prosecutions for, started by the Forest Rangers in 1106 ...	317

	Pages.
Sundram Pillai, Mr. N. A.—(*continued*)	
Resolutions—	
Text Book Committee (Vernacular)—more adequate representation of Tamil in the— ...	198, 200-201, 205

T

Thanu Pillai, Mr. A.	
Adjournment motion—	
Sale of lands for arrears of land tax— ...	134, 139
Bills—	
Criminal Law Amendment Bill—consideration of— ...	15, 18
Jenmi-Kudiyan Bill— ...	369, 386-390
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion *re*— ...	66, 109, 113 119, 125, 129
Muslim Succession Bill—second reading of— ...	624-625
Provident Insurance Bill—introduction of— ...	590
Town Planning Bill—second reading of ...	487-489, 540, 541, 555, 556, 557, 559, 562, 565-575
Do. introduction of ...	24-29, 30, 38, 39, 47
Width of Tyres Bill ...	442, 443, 446, 447, 450, 451, 461, 464, 465, 466-467
Questions—	
Ayurveda Board—constitution of— ...	166-167
C. V. Records Office—copies of records from ...	431
Clique of agitators—existence of—particulars *re* ...	167-170
Co-operative Societies— ...	726
Divisional Forest Officer, Mr. Oommen leave to ...	421
Kerala Society papers—article in the—on Travancore a hundred years ago— ...	428-431
Mr. Netto's Shank monopoly— ...	494-497
Mr. T. K. Velu Pillai and the Public Library .	329
Motor buses plying between Trivandrum and Nagercoil—timings of alteration of— ...	178-179
Peishkars—inspection by—of Co-operative Societies— ..	724

	Pages.
Thanu Pillai, Mr. A. (*contd.*)	
Questions (*contd.*)	
Reply to the new President's welcome to the Council ...	343
Sir C. P. Ramaswamy Aiyar—functions of— ...	419-420
Point of order :—*re* :	
Failure to supply copies of Select Committee Report and Bill to members seven clear days before the day of the meeting ...	351
Omission to publish the Town Planning Bill in Tamil also ...	348
Resolutions	
Child Marriage Act— ...	695, 774, 782, 786, 800, 806
Cow-killing ...	673, 677, 682, 683, 684, 685, 686, 687, 691, 692
Flood relief—elevated grounds for Kuttanad—...	658, 660, 661, 663, 664, 666, 668
Officers—revision of pay and grades of ...	187, 191, 194
Tax remission ...	297, 626, 634-638, 641, 649
Text-Book Committee (Vernacular) more adequate representation of Tamil in the— ...	199, 200, 204
Toll-gate at Neduvangad—abolition of— ...	286-288
Water (drinking)—supply of ...	242, 244, 246, 247, 249, 255, 267
Thomas, Mr. O. M.	
Adjournment motion—	
Sale of lands for arrears of land tax ...	147, 150, 158, 161
Bills—	
Chitties Regulation Amendment Bill—inclusion in the Agenda of reference to ...	183, 184
Town Planning Bill introduction of— ...	22, 37-40
Questions	
Kottayam-Kumarakam Road—conversion into a cart road— ...	209-210
Municipal Council, Kottayam—proceedings of—conduct of the President in the - ...	209
Municipal Council Office, Kottayam-alleged trespass by Mr. M. M. Abraham into ...	171-173
Traffic Inspector of Police, Kottayam—transfer of— ...	11-12

	Pages.
Thomas Mr. O. M.—(*contd*)	
Question (*contd.*)	
Resolutions passed at a public meeting held at Kottayam on the 5th Vrischikam 1107 ...	164-165
Resolutions—	
Remission of land revenue ...	298, 299, 304-307
Water (drinking) supply of ...	252, 256-258, 276
Tolls	
(See Resolution on Toll-gate at Neduvangad)	
Town Planning—(Vide Bills) –	
Tuppan Namputiripad, Mr. C. N.	
Bills—	
Jenmi-Kudiyan Bill— ...	351-360, 365, 366, 376, 378, 380, 381, 393, 394, 395
Jenmi and Kudiyan Regulation Amendment Bill—recommittal of—motion re ...	59-78, 102-103, 116
Town Planning Bill—introduction of ...	36-37
Width of Tyres Bill— ...	462
V	
Vaidyalingom Pillai, Mr. R.	
Bills—	
Provident Insurance Bill,—introduction of— ...	585, 590, 591, 592, 593, 594
Resolution—	
Water (drinking)—supply of ...	260
Venkatarama Aiyar, Rao Bahadur, A.	
Bills—	
Jenmi-Kudiyan Bill— ...	366-370
Muslim Succession Bill—second reading of— ...	625
Provident Insurance Bill—introduction of ...	592
Town Planning Bill—second reading of ...	576, 580
Width of Tyres Bill— ...	443, 448, 449
Oath of Office— ..	309
Point of order :	
Failure to supply copies of the Select Committee Report and Bill to the members seven clear days before the day of the meeting ..	350

	Pages.
Venkatarama Aiyar, Rao Bahadur, A.—	
Reference to the late Rao Bahadur K. A. Krishna Aiyangar ...	344, 345
Reply to the new President's welcome to the Council ...	343
Resolution :	
Tax remission— ...	632-633
Vernacular School Teachers—	
Provident Fund Scheme for (*Vide* Questions and answers)— ...	233
Visvanatha Aiyar, Mr. P.	
Oath of Office— ...	309
Resolutions	
Child Marriage Act— ...	792
Tax remission— ...	630
W	
Westerdale, Mr. J. S.	
Bills	
Town Planning Bill—second reading of— ...	476, 484
Width of Tyres Bill— ...	444-452, 460, 464, 467
Resolutions—	
Flood relief —elevated grounds for Kuttanad—...	667, 668
Toll-gate at Neduvangad—abolition of ...	288-292, 293
Water (drinking) supply of ...	242, 264-273, 279, 280
Welcome to the Council by the *new* President ...	343

31871

Travancore Legislative Council Proceedings-1931

Vol. 20

p01 Content of Travancore Legislative Council Proceedings 1931
p1 Dec 16, 1931-Swearing in of New Members and President's Address
p1 Dec 16, 1931-Questions and Answers
p13 Dec 16, 1931-Sale of Lands for arrears of Land Revenue-Adjournment Motion
p13 Dec 16, 1931-Statement Laid on the Table
p15 Dec 16, 1931-Travancore Criminal Law Amendment Bill-Legislative Business
p20 Dec 16, 1931-Travancore Town Planning Bill-Legislative Business
p58 Dec 16, 1931-Police Regulation Amendment Bill-Legislative Business
p59 Dec 16, 1931-Jenmi-Kudiyan Regulation Amendment Bill-Legislative Business
p83 Dec 17, 1931-Questions and Answers
p100 Dec 17, 1931-Monpoly for Kaolin-Adjournment Motion
p100 Dec 17, 1931-Jenmi-Kudiyan Regulation Amendment Bill
p130 Dec 17, 1931-Kaolin-Notice of -President's Remarks-Adjournment Motion
p131 Dec 17, 1931-Sale of Lands for Arrears of Land Revenue-Adjournment Motion
p163 Dec 18, 1931-Questions and Answers
p184 Dec 18, 1931-Travancore Partition Bill
p186 Dec 18, 1931-Revision of Pay and Grades of Officers-Resolution
p196 Dec 18, 1931-Vernacular Text Book committee-Representation of Tamil-Resolution
p207 Dec 19, 1931-Questions and Answers
p241 Dec 19, 1931-Supply of Drinking Water-Resolution
p281 Dec 19, 1931-Abolition of the Neduvangad Toll-gate-Resolution
p293 Dec 19, 1931-Remission of Land Tax-Resolution
p309 Apr 21, 1932-Swearing in of New Members
p309 Apr 21, 1932-Constitution of the Council-Point of Order
p310 Apr 21, 1932-Questions and Answers
p343 Apr 21, 1932-New President's Welcome Address
p344 Apr 21, 1932-Reference to the Late Rao Bahadur K A Krishna Aiyangar
p346 Apr 21, 1932-Conduct of the Police at Alleppey-Adjournment Motion
p346 Apr 21, 1932-Police Regulation Amendment Bill-Legislative Business
p346 Apr 21, 1932-Town Planning Bill-Legislative Business
p351 Apr 21, 1932-Jenmi and Kudiyan Regulation Amendment Bill-Legislative Business
p397 Apr 22, 1932-Questions and Answers
p441 Apr 22, 1932-Travancore Width of Tyres Bill-Legislative Business
p468 Apr 22, 1932-Travancore Town Planning Bill-Legislative Business
p491 Apr 23, 1932-Questions and Answers
p534 Apr 23, 1932-Notice of-Adjournment Motion
p534 Apr 23, 1932-Travancore Town Planning Bill-Legislative Business
p583 Apr 23, 1932-Travancore Provident Insurance Societies Bill-Legislative Business
p595 Apr 23, 1932-Travancore Life Assurance Companies Bill-Legislative Business
p600 Apr 25, 1932-Questions and Answers
p624 Apr 25, 1932-Leave to Make-Adjournment Motion
p624 Apr 25, 1932-Travancore Muslim Succession Bill-Report of the Select Committee-Legislative Business
p625 Apr 25, 1932-Remission of Land Tax-Resolutions
p655 Apr 25, 1932-Provision of Elevated Grounds in Kuttanad-Resolutions
p671 Apr 25, 1932-Prohibition of the Killing of Cows-Resolutions
p693 Apr 25, 1932-Restriction Against Child Marriage-Resolutions
p701 Apr 26, 1932-Questions and Answers
p761 Apr 26, 1932-Leave to Make-Adjournment Motion
p761 Apr 26, 1932-Restriction Against Child Marriage-Resolutions
pB1 Supplements